

Case No. 3:17-CR-82

**EMERGENT MOTION TO VACATE AND SET ASIDE
THE CONVICTION AND SENTENCE
And Restoration of Property
28 U.S. Code § 2255**

And Proposed Order

Attachment #2

March 11, 2021 S.R. Complaint

EMERGENCY

Formal Grievance Complaint and Investigation Demand

“...to petition the Government for a redress of grievances.” – Constitution Amendment I

Private and Confidential

March 11, 2021

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CONTENTS

	Page
I) EMERGENCY Formal Grievance And Investigation Demand	5
II) Perpetrators and Conspirators.....	26
III) Emolument Violations	28
IV) Summary of the Case	30
V) The Conspiracy Plot	58
VI) Disposed of South Carolina Statewide Misdemeanor Traffic Related Bench Warrant Used As Predicate for July 11, 2017 Arrest and Aggravated Assault of Mr. Beane	60
VII) (A) Private Property Trespass	78
(B) Aggravated Assault During Arrest Causing Serious Bodily Injury	86
(C) Public Humiliation	95
(D) Felony Kidnapping	97
VIII) Private Property Search and Seizure Without A Warrant	101
IX) Grand Jury Witness	104
X) Fraudulent Fictitious Signed District Court Arrest Warrant	105
XI) Tennessee Arrest Law	109
XII) No FBI Jurisdiction	111
No US Attorney Jurisdiction	116
XIII) No Federal Jurisdiction	118
XIV) (A) No Probable Cause	133
(B) Denial of Due Process	135
(C) Denial of Detention Hearing	136
XV) (A) Prosecutorial Misconduct (Improper and Illegal Acts to Wrongly Persuade the Grand Jury and Trial Jury to	

Indict and Convict)	143
(B) Fraud upon Court	157
(C) Wrongful Selective Prosecution	168
XVI) Knowing Misrepresentation of Definition.....	171
(A) Money Laundering	171
(B) Affect Interstate Commerce	179
(C) Fraud	180
XVII) Treasury Direct Depository Account / Social Security Account Number	183
XVIII) False Personation	185
XIX) Heather-Ann:Tucci:Jarraf	188
XX) Jurisdiction Report – C. Clifford Shirley	198
XXI) Freudian Slip (1), (2), and (3).....	218
XXII) Privacy Violations	219
XXIII) Punishment – Sentencing and Double Jeopardy	229
Punishment #1 - \$553,749.99 Personal Money Judgment From Mr. Beane to the United Sates	229
Punishment #2 - \$511,289.02 Criminal Monetary Penalties From Mr. Beane to the US District Court For the Eastern District of Tennessee	231
Punishment #3 - \$510,589.02 Restitution from Mr. Beane To USAA Bank	233
Punishment #4 – 120 months and 155 months in prison to run concurrently	234
Punishment #5 – Collection of DNA	234
Punishment #6 – Motorhome Unlawfully Seized	235
Punishment #7 – Six Cents (.06) Per Hour Prison Wage	235
Punishment #8 – \$31,000,494.97 Seized From Randall- Keith:Beane’s Personal USAA	

Bank Account	236
Punishment #9 – Loss of Voting Right	237
XXIV) Petition of Third Party Interest	242
XXV) The Appeal	248
XXVI) Misprison of Treason	266
XXVII) Bonding/Liability Information	273
XXVIII) Rules of Professional Conduct	274
XXIX) Remedy	275
Conclusion	280
XXX) Cases.....	305
United States v. Throckmorton	305
Hale v. Henkel.....	305
William Marbury v. James Madison	306
Cruden v. Neale	307
Group v. Finletter	307
United States v. W Kis	307
Sims v. Ahrens	307
Rescue Army v. Municipal Court of Los Angeles	307
Hurtado v. California	308
Lewis v. U.S.	308
Earle v. McVeigh	308
Rose v. Himely (1808)	308
Rankin v. Howard (1980)	309
Boyd v. United States	309
Cooper v. O’Conner	309
Cooper v. Aaron	309
Davis v. Burris	309
Piper v. Pearson	309
Cohen v. Virginia (1821)	309
Trezevant v. City of Tampa	310
XXXI) Attachments	310

1 **I) EMERGENCY FORMAL GRIEVANCE COMPLAINT**
2 **AND INVESTIGATION DEMAND**
3

4 Subject: A Tennessee Crime Ring of district court judges, federal prosecutors,
5 FBI, Sheriff Deputies et al. – Complaint and Investigation
6 Demand Regarding Emolument Violations to Include:
7

8 Conspiracy to Deprive Rights, Deprivation of Rights, Felony Kidnapping, False
9 Imprisonment, Fraudulent and Fictitious Arrest Warrants, Denial of Due Process,
10 Misprison of Treason, Misprison of Felony, Abuse of Law and Legal Process,
11 Perjury, False and Misleading Statements to the Grand Jury and Trial Jury, Fraud,
12 FBI Excessive Force, FBI Lack of Jurisdiction, Prosecutorial and Judicial
13 Misconduct and Lack of Jurisdiction, and Wrongful Selective Prosecution in the
14 United States District Court for the Eastern District of Tennessee.
15

16 This complaint is painful acknowledgement that in Tennessee the people's
17 government has been usurped by evil wicked treasonous traitor turncoat servants
18 who were trusted by the people to do their job. It is written with Love for the
19 Country, the true victims Mr. Beane and Mrs. Tucci:Jarraf, and the King of Kings.

20 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf had the Right to live in peace
21 and be left alone when law-abiding. They were denied that right. By fraud, the
22 perpetrators and conspirators concocted a fraud and money laundering case against
23 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf to hide the theft of
24 \$31,000,494.97 from Randall-Keith:Beane, and seek revenge against Heather-
25 Ann:Tucci:Jarraf for her UCC filings foreclosing corporate criminal enterprises –
26 some impersonating governments.

27 To manufacture a fraud charge and arrest Mr. Beane and then Mrs. Tucci:Jarraf,
28 perpetrators and conspirators made false exculpatory statements like: (1) Mr.
29 Beane altered his social security account number by one digit to access his treasury
30 direct depository account (the source of the \$31,000,494.97), and (2) They said
31 they had an "active" "outstanding" arrest warrant for Mr. Beane that they knew to
32 be a South Carolina **statewide** misdemeanor traffic related bench warrant disposed
33 of two years earlier. Both prove the frame up. Not doing their job as investigators,
34 prosecutors and judges is further evidence of their intent.
35

36 FBI and US Attorney perpetrators and conspirators did not disclose their unlawful
37 arrest of Mr. Beane on July 11, 2017. They did not yell out to the courtroom –

1 'Hey, we used a South Carolina statewide traffic related bench warrant that was
2 disposed of two years earlier.' They covered it up. They didn't want anyone to
3 read the middle of the warrant that said it was a South Carolina statewide warrant –
4 and they were in Tennessee. (Att. #1.2) They didn't present the South Carolina
5 public index which showed the traffic related case against Mr. Beane had a
6 disposition date of 7/17/2015. (Att. #2.1)

7
8 Perpetrator and conspirator Debra Poplin was the clerk - the keeper of the records
9 for the US District Court for the Eastern District of Tennessee. She knew the
10 Tennessee arrest warrants issued for Mr. Beane and Mrs. Tucci:Jarraf were
11 fraudulent because they did not have her signature on them as required by 18a U.S.
12 Code Rule 9 (Arrest Warrant on Indictment – Att. #10) . She kept quiet and
13 covered it up. She allowed the U.S. Marshals Service to participate in the
14 conspiracy and kidnap Mr. Beane and Mrs. Tucci:Jarraf using fraudulent arrest
15 warrants. (Att. #3 and #4)

16
17 The FBI and US Attorneys knew the Tennessee arrest warrants were not in legal
18 form. The US Attorneys knew the FBI did not have jurisdiction. They
19 intentionally had Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf kidnapped.

20
21 The US District Court judges knew the FBI and US Attorneys, and they
22 themselves, did not have jurisdiction. They all participated in the felony
23 kidnapping of Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf.

24
25 The Sixth Circuit Appeals Court judges knew the FBI, US Attorneys, and District
26 Court judges plotted to kidnap and detain Randall-Keith:Beane and Heather-
27 Ann:Tucci:Jarraf without a valid warrant. None of them had lawful authority or
28 jurisdiction from the get-go and they all knew it. The appellate judges kept it
29 quiet, covered it up and pretended they all had authority and jurisdiction.

30
31 The entire case was willfully and intentionally created based upon fraud and they
32 all knew it, and they all concealed it because it was part of the conspiracy plot.

33
34 The Supreme Court ruled in **United States v. Throckmorton (Supreme Court -**
35 **98 U.S. 61 (1878))** "There is no question of the general doctrine that fraud vitiates
36 the most solemn contracts, documents, and **even judgments.**" (Att. #83.2) It
37 goes on to say, "Fraud vitiates every thing." Not some things – EVERYTHING!
38 (Att. #83.3)

1 You each have a distinct role and obligation to investigate and determine the
2 level of involvement of government employees, your organization, or any
3 organization and company that participated in the unlawful exercise of power to
4 deprive rights, to determine the depth of the conspiracy to deprive rights and the
5 deprivation of rights of American constituents Randall-Keith:Beane and Heather-
6 Ann:Tucci:Jarraf, to ensure Mr. Beane and Mrs. Tucci:Jarraf are immediately
7 released from their false imprisonment, and to ensure impeachment and criminal
8 charges are filed against those responsible.

9 Law combat is not what we do for a living. We had to step out of our lane
10 and jump into your lane because you allowed an innocent man and an innocent
11 woman to be kidnapped, trafficked, and falsely imprisoned by your colleagues
12 right under your nose based on a fabricated fraud and money laundering charge,
13 fraudulent fictitious signed Tennessee district court arrest warrants, and a South
14 Carolina statewide misdemeanor traffic related bench warrant that had been
15 disposed of two years earlier.

16 Corruption exists in every profession. This is not a complaint to bash law
17 enforcement. We admire the work of law enforcement and other first responders.
18 We love, respect, and cherish law enforcement as we do the military. They run
19 toward trouble while most run the other way. We admire their courage. But we
20 have to separate the dirty from the clean. In this case the nefarious actors involved

1 violated the law and knowingly and intentionally conspired to deprive Randall-
2 Keith:Beane and Heather-Ann:Tucci:Jarraf of their God-given freedom, liberty and
3 rights.

4 We have been in contact with Randall-Keith:Beane, but we do not know him
5 or Heather-Ann:Tucci:Jarraf and it doesn't matter. They are Americans. They are
6 members of mankind who've been falsely imprisoned and severely injured and
7 that's good enough reason for us to file this emergency complaint. Just imagine if
8 what was done to Mr. Beane and Mrs. Tucci:Jarraf was done to you, or a family
9 member, or a friend. You would most certainly want someone to help. We know
10 we would. We wouldn't be much better than the evil ones who falsely imprisoned
11 Mr. Beane and Mrs. Tucci:Jarraf if we sat and did nothing and allowed their false
12 imprisonment to continue. Is it possible to believe in Almighty God and sit idle
13 while two innocent Almighty God created living souls are falsely imprisoned?
14 You may look the other way and pretend you don't see what's there but God
15 Almighty knows what you see and what you've done about it – or not done.
16 Imagine arriving at the pearly gates and before you can enter you must
17 satisfactorily explain certain things you did while in the body like why you
18 participated in or allowed an innocent man and an innocent woman to be falsely
19 imprisoned. You won't be able to b.s. the Most High. Mr. Beane and Mrs. Tucci-

Jarraff were done dirty by traffickers and felony kidnappers purporting to be servants of the people's government.

Having read many of the court documents we allege Tennessee FBI agents, Tennessee United States Attorney's Office, Tennessee district court judges, and others conspired to frame Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf for a fraud and money laundering case they invented to hide the theft of \$31,000,494.97 from Randall-Keith:Beane's USAA bank account, and to benefit from: (1) a criminal monetary penalty of \$511,289.02 payable to the Eastern District of Tennessee District Court, (2) A personal money judgment of \$553,749.99 payable to the United States allegedly for USAA Bank, (3) Restitution of \$510,589.02 to USAA Bank, and (4) Unlawful seizure and sale of the \$503,110.68 motorhome to USAA Bank – owned by the Randall Keith Beane Factualized Trust.

We, the private natural American people, submit this **EMERGENCY** formal grievance complaint and demand investigation regarding **United States of America v. Randall Keith Beane and Heather Ann Tucci Jarraf. (Case No.: 3:17-CR-82)** pursuant to violation of a host of US codes/statutes, Tennessee Constitution Declaration of Rights, Article 1, Sections 1, 2, 7, 8, 9, 10, 15, 18 and 21 (Att. #73.1, #73.2, #73.3), violation of United States Constitution Article VI, Clause 3 (Violation of Oath), Article I, Section 8, Clause 14 (U.S. Code Rules for the Government), Article I, Section 9, Clause 3 (no bill of pains and penalties),

1 Article III, Section 2 (Judicial Power), Section 3 (Treason Against the United
2 States), Article I, Section 9, Clause 8 (If any citizen of the United States shall
3 accept, claim, receive, or retain any title of nobility or honor...such person shall
4 cease to be a citizen of the United States, and **shall be incapable of holding any**
5 **office of trust or profit** (Att. #72.1, #72.2), the 4th, 5th, 6th, and 14th Amendments
6 (Procedural and Substantive Due Process), and the International Covenant on Civil
7 and Political Rights Treaty (ICCPR – Att. #35.1 - #35.4) ratified and entered into
8 force in 1992 to include:

- 9 • Article 1. All peoples have the right of self-determination.
- 10 • Article 6. Every human being has the inherent right to life. This right shall
11 be protected by law. No one shall be arbitrarily deprived of his life.
- 12 • Article 9. Everyone has the right to liberty and security of person. No one
13 shall be subjected to arbitrary arrest or detention. No one shall be deprived
14 of his liberty except on such grounds and in accordance with such procedure
15 as are established by law.
- 16 • Article 9. Anyone who is arrested shall be informed, at the time of arrest, of
17 the reasons for his arrest and shall be promptly informed of any charges
18 against him.
- 19 • Article 9. Anyone arrested or detained on a criminal charge shall be
20 brought promptly before a judge or other officer authorized by law to

1 exercise judicial power and shall be entitled to trial within a reasonable time
2 or to release. It shall not be the general rule that persons awaiting trial shall
3 be detained in custody, but release may be subject to guarantees to appear
4 for trial, at any other stage of the judicial proceedings, and, should occasion
5 arise, for execution of the judgment.

- 6 • Article 9. Anyone who is deprived of his liberty by arrest or detention shall
7 be entitled to take proceedings before a court, in order that that court may
8 decide without delay on the lawfulness of his detention and order his release
9 if the detention is not lawful.

- 10 • Article 9. Anyone who has been the victim of unlawful arrest or detention
11 shall have an enforceable right to compensation.

- 12 • Article 14. All persons shall be equal before the courts and tribunals. In the
13 determination of any criminal charge against him, or of his rights and
14 obligations in a suit at law, everyone shall be entitled to a fair and public
15 hearing by a competent, independent and impartial tribunal established by
16 law.

17 We are reporting a conspiracy to deprive rights, deprivation of rights, and
18 the false imprisonment of Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf
19 through creation of a fabricated fraudulent criminal case (among other criminal
20 activity) by the Tennessee FBI, Tennessee United States Attorney's Office, Eastern

District of Tennessee District Court, Knoxville Sheriff's office, U.S. Court of Appeals for the Sixth Cir., etc. Their actions were purposeful, intentional, and unlawful. They operated knowingly without subject matter jurisdiction or personal jurisdiction. All rulings were made in violation of due process and are void.

DEFINITION CONSPIRACY - Black's Law Dictionary, 4th Edition
(Pg. 382-383)

“In criminal law - A combination or confederacy between two or more persons formed for the purpose of committing, by their joint efforts, some unlawful or criminal act, or some act which is innocent in itself, but becomes unlawful when done by the concerted action of the conspirators, or for the purpose of using criminal or unlawful means to the commission of an act not in itself unlawful.”

“A combination, or an agreement between two or more persons, for accomplishing an unlawful end or a lawful end by unlawful means.”

“A partnership in criminal purposes.”

“The essence of "conspiracy" *is* an agreement, together with an overt act, to do an unlawful act, or do a lawful act in an unlawful manner.”

“A conspiracy may be a continuing one; actors may drop out, and others drop in; the details of operation may change from time to time; the members need not know each other or the part played by others; a member need not know all the details of the plan or the operations; he must, however, know the

1 purpose of the conspiracy and agree to become a party to a plan to effectuate that
2 purpose.”

3 “A consultation or agreement between two or more persons, either falsely to
4 accuse another of a crime punishable by law; or wrongfully to injure or prejudice a
5 third person, or any body of men, in any manner; or to commit any offense
6 punishable by law; or to do any act with intent to prevent the course of justice; or
7 to effect a legal purpose with a corrupt intent, or by improper means.”

8 DEFINITION

9 **FALSE IMPRISONMENT** - Any **intentional detention** of the
10 person of another **not authorized by law**, is false imprisonment. 1 Bald. 571; 9 N.
11 H. Rep. 491; 2 Brev. R. 157. It is any **illegal imprisonment, without any process**
12 **whatever, or under color of process wholly illegal...**(Bouvier’s Law Dictionary,
13 Revised Sixth Edition, P. 754)

14
15 **FALSE IMPRISONMENT** - The **unlawful arrest or detention** of
16 a person **without warrant, or by an illegal warrant, or a warrant illegally**
17 **executed**, and either in a prison or a place used temporarily for that purpose, or by
18 force and constraint without confinement. Eberling v. State, 136 Ind. 117, 35 N.E.
19 1023. False imprisonment consists in the **unlawful detention** of the person of
20 another, **for any length of time**, whereby he is **deprived of his personal liberty**.
21 Mahan v. Adam, 144 Md. 355, 124 A. 901, 904. (Black’s Law Dictionary, 4th
22 Edition, P. 890)

23 24 **18 U.S. Code § 241. Conspiracy against rights** (Att. #38)

25 “If two or more persons conspire to injure, oppress, threaten, or intimidate
26 any person in any State, Territory, Commonwealth, Possession, or District in the
27 free exercise or enjoyment of any right or privilege secured to him by the
28 Constitution or laws of the United States, or because of his having so exercised the

1 same; or If two or more persons go in disguise on the highway, or on the premises
2 of another, with intent to prevent or hinder his free exercise or enjoyment of any
3 right or privilege so secured—They shall be fined under this title or imprisoned not
4 more than ten years, or both; and if death results from the acts committed in
5 violation of this section **or if such acts include kidnapping** or an attempt to
6 kidnap, aggravated sexual abuse or an attempt to commit aggravated
7 sexual abuse, or an attempt to kill, they shall be fined under this title or
8 **imprisoned for any term of years or for life**, or both, **or may be sentenced to**
9 **death**.”

10 This case involves Tennessee and South Carolina. Ohio and California is
11 where the felony kidnappers and human traffickers had Randall-Keth:Beane and
12 Heather-Ann:Tucci:Jarraf unlawfully transported and detained.

13 This complaint is lengthy because we had to **show the conspiracy and**
14 **fraud** knowingly committed by the perpetrators and coconspirators. Revealing the
15 lies unveils the fraud and conspiracy.

16 We understand people don't want to read more than ten or twenty pages.
17 We wish we could have kept this complaint in that range, but unfortunately a lot
18 went down in the case.

19 The conspiracy is easy to see. The perpetrators and conspirators did eight
20 obvious things:

1 (1) They used a South Carolina statewide misdemeanor traffic related bench
2 warrant that had been disposed of two years earlier as the predicate to arrest
3 Randall-Keith:Beane on July 11, 2017 at Buddy Gregg RVs & Motor Homes in
4 Knoxville, Tennessee. (Att. #1.2, #12 and #13).

5 (2) They created two fraudulent fictitious signed Tennessee district court
6 arrest warrants (Att. #3, #4 and #10) to arrest Mr. Beane a fourth time July 27,
7 2017, and to arrest Heather-Ann:Tucci:Jarraf July 26, 2017.

8 (3) They fabricated a fraud case based on a lie to the grand jury that Mr.
9 Beane altered his social security account number by one digit, and that he used a
10 'fraudulent' 'fictitious' account number to access his treasury direct depository
11 account. (Grand Jury Transcript, P. 6, Line 5-7; P. 14, Line 2-4, 12-13)

12 (4) They lied to the grand jury saying Mr. Beane accessed a "**fictitious**"
13 (non-existent, imaginary, make-believe unreal) bank account (Indictment Att.
14 #71.2, #71.3, #71.4) while at the same time saying Mr. Beane took
15 \$31,000,494.97. (Att. #31.3) Was the account "**fictitious**" or did Mr. Beane take
16 \$31,000,494.97? It can't be both. The answer is Mr. Beane took \$31,000,494.97
17 from his treasury direct depository account using his own social security account
18 number.

1 (5) The FBI and US Attorneys never interviewed or spoke with Mr. Beane
2 about his private USAA Bank transactions. They didn't want or need his side of
3 the story because they knew what their goal was. They just ambushed him.

4 (6) They denied Mr. Beane a detention hearing to keep him in custody so
5 that he could not access any of his personal records regarding the transactions or
6 do any research. They caused Mr. Beane to be evicted from his home and lose his
7 job.

8 (7) They deceived the grand jury and trial jury about the definition of key
9 words: fraud, interstate commerce, and money laundering.

10 (8) The FBI agents, United States attorneys, and district court
11 magistrate/judges all knew they did not have subject-matter or personal jurisdiction
12 but they moved forward anyway. Here are some of the jurisdiction restrictions:

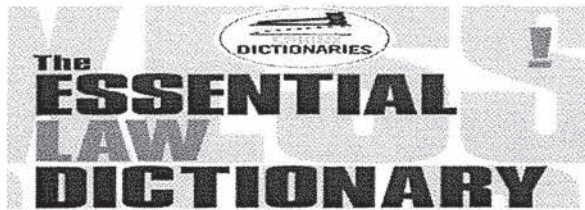
13 a. There are two ways for a federal court to gain subject matter jurisdiction:
14 (1) 28 U.S. Code § 1331 (federal question jurisdiction), and (2) 28 U.S.
15 Code § 1332 (diversity jurisdiction). They both pertain to **civil actions**.
16 (Att. #5, #6, and #7)

17 <https://definitions.uslegal.com/c/civil-action/>

Civil Action Law and Legal Definition

A civil action is an action that is brought to enforce, redress or protect a private or civil right. It is a non criminal litigation. If the action is brought by a private person it is termed as private action. If it brought by the government it is termed as public action.

In *Gillson v. Vendome Petroleum Corp.*, 35 F. Supp. 815, 819 (D. La. 1940), the court defined civil action as "every species of "suit" not of a criminal kind, and comprehends every conceivable cause of action, whether legal or equitable, except such as are "criminal", in the sense that the judgment may be a fine or imprisonment, etc."



civil action. N. A lawsuit brought by a private citizen to protect a private or civil right or to seek a civil remedy; a noncriminal action.

A LAW DICTIONARY

ADAPTED TO THE CONSTITUTION AND LAWS OF THE UNITED STATES OF AMERICA AND OF THE SEVERAL STATES OF THE AMERICAN UNION

by John Bouvier

Revised Sixth Edition, 1856

CIVIL ACTION. In New York, actions are divided only into two kinds, namely, criminal and civil. A criminal action is prosecuted by the state, as a party, against a person charged with a public offence, for the punishment thereof. Every other action is a civil action. Code of Procedure, s. 4, 5, 6; 3 Bouv. Inst. n. 2638. In common parlance, however, writs of mandamus, certiorari, habeas corpus, &c., are not comprised by the expression, civil actions. 6 Bin. Rep. 9.

1 b. 18 U.S. Code § 3052. **Powers of Federal Bureau of Investigation**

2 "...agents of the Federal Bureau of Investigation of the Department of
3 Justice may carry firearms, **serve warrants** and subpoenas **issued under the**
4 **authority of the United States** and make arrests without warrant for any
5 offense against the United States committed in their presence, or for any
6 felony cognizable under the laws of the United States..." (Att. #15) The
7 South Carolina disposed of bench warrant they used to arrest Mr. Beane July
8 11, 2017 was not issued under the authority of the United States and there
9 was no offense committed against the United States.

10 c. 28 U.S. Code § 516. **Conduct of litigation reserved to Department of Justice**

11 ...the conduct of litigation in which the United States, an agency, or
12 officer thereof is a party, or is interested... (Att. #17 and #18) The
13 party/plaintiff was not the nation. It was the corporation United States of
14 America and it did not have standing. The United States of America was not
15 a true party in interest. (Att. #33.2)

16 d. 28 U.S. Code § 547. **Duties**

17 United States Attorney shall prosecute for all offenses against the United
18 States; prosecute or defend for the government all civil actions...(Att. #18)

19 e. 18 U.S. Code § 3041. **Power of courts and magistrates**

20 "For any offense against the United States..." (Att. #14) Mr. Beane and
21 Mrs. Tucci:Jarraf did not commit an offense against the United States or
22 United States of America. (Att. #33.2)

23 "Where there is no jurisdiction, there can be no discretion, for discretion is
24 incident to jurisdiction." (Piper v. Pearson, 2 Gray 120, cited in Bradley v.
25 Fisher, 13 Wall. 335, 20 L.Ed. 646; 1872)

26
27 "We (judges) have no more right to decline the exercise of jurisdiction
28 which is given, than to usurp that which is not given. The one or the other
29 would be treason to the Constitution." (Cohen v. Virginia, (1821), 6
30 Wheat. 264 and U.S. v. Will, 449 U.S. 200)

1 “A judge must be acting within his jurisdiction as to subject matter and
2 person, to be entitled to immunity from civil action for his acts.” (Davis v.
3 Burris, 51 Ariz. 220, 75 P.2d 689; 1938)

4 To create an offense against the United States of America the perpetrators
5 first had to deceive the grand jury into believing the United States of America and
6 the United States are the same - and is a government entity. They’re not the same
7 and they’re not the government. The perpetrators and conspirators deceitfully use
8 United States and United States of America interchangeably even though they are
9 different corporate entities. Perpetrator and conspirator Thomas A. Varlan (then
10 Chief US District Judge) admitted the “United States” is not the government. (Att.
11 #78.2) And 28 U.S.C. § 3002(15) says: “United States” means – (A) a Federal
12 corporation. Attachment #67 and #68 makes it clear United States of America is
13 a corporation.

14 The perpetrators and conspirators decided to use the FDIC to imply there
15 was an ‘action against the United States’ even though no FDIC claim was filed and
16 the FDIC does not cover alleged “theft” or “stolen” “funds.” (Att. #36)

17 The conspiracy is crystal clear. If the perpetrators and conspirators had a
18 valid case they would not have conspired to create one. It is obvious that a group of
19 FBI investigators, US Attorney prosecutors, district court magistrates/judges, and
20 others had come together to fabricate a fraud and money laundering case against
21 Randall-Keth:Beane and Heather-Ann:Tucci:Jarraf.

1 When you look at the events of July 11, 2017, when Mr. Beane was at
2 Buddy Gregg RVs & Motor Homes to conduct a private business transaction, you
3 see that the arrest of Randall-Keith:Beane was not intended to be a typical law
4 enforcement action. It's clear they planned an ambush. Perpetrator and
5 conspirator Parker Still stated Buddy Gregg RVs & Motor Homes kept the FBI
6 informed of Mr. Beane's private transaction – WITHOUT A SUBPOENA. (Grand
7 Jury Transcript, P. 53, L 21-22, 24-25) The perpetrators and conspirators knew Mr.
8 Beane's private purchase of the motorhome was completed Friday, July 7, 2017,
9 but they waited until Tuesday, July 11, 2017 when Mr. Beane went in to pick up
10 the motorhome to flex their muscle and exert excessive force to arrest him. They
11 waited so they could ambush him – so that the FBI perpetrators could appear to be
12 in compliance with 18 U.S. Code § 3052 (“...committed in their presence...”) and
13 say they saw an offense committed ‘with their own eyes.’ But all they saw was a
14 man sitting behind the wheel of a motorhome he legally and lawfully purchased in
15 the name of a trust that he had not even driven off the lot. The perpetrators and
16 conspirators wanted to cause a big public scene—beat up Mr. Beane—and
17 humiliate him by pulling down his shorts. (Att. #34.8)

18 The FBI perpetrators and conspirators wanted to arrest Mr. Beane at Buddy
19 Gregg RVs & Motor Homes so they had to wait until their Buddy Gregg informant

1 advised them when Mr. Beane was physically there to pick up the trust's private
2 property motorhome.

3 Our analysis of the case is the perpetrators and conspirators are great
4 practitioners of the art of deception. They had a sinister plot and a playbook that
5 took them from indictment to conviction. Reversing the conviction on appeal was
6 not part of the plan so the plot and conspiracy had to continue. The perpetrators
7 and conspirators framed Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf.
8 They incriminated two innocent people with fictitious falsified fraudulent
9 evidence. At least part of their motivation for the conspiracy likely was the
10 **\$511,289.02** ordered by perpetrator and conspirator Thomas A. Varlan to be paid
11 to the US district court immediately in a lump sum by Randall-Keith:Beane.
12 (Att. #26.3) Perpetrator and conspirator Thomas A. Varlan said "Having assessed
13 the defendant's ability to pay." Where did he see Mr. Beane had \$511,289.02?
14 Did USAA Bank tell him about the \$31,000,494.97 they removed from Mr.
15 Beane's personal USAA bank account without a warrant? Or was he given access
16 to look into Mr. Beane's treasury direct depository account?

17 As you continue to read you will see the actions taken had nothing to do
18 with justice or the law – it was all about getting two people: Randall-Keith:Beane
19 and Heather-Ann:Tucci:Jarraf. The perpetrators and coconspirators only had eyes
20 for falsely imprisoning Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf. They

1 didn't care about the tens or hundreds of thousands of other Americans who
2 accessed their treasury direct depository account during the same time period.
3 They didn't care about the man, "Harvey Dent," who showed everyone through a
4 YouTube video how to access their treasury direct depository account. They didn't
5 care about anyone else because this was a prosecution designed to falsely imprison
6 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf to cover up the theft of
7 \$31,000,494.97 taken from Randall-Keith:Beane's personal USAA bank account.

8 We read the grand jury transcript, indictment, arrest warrants (78 pages),
9 eight volume trial transcripts (1436 pages), jurisdiction argument (115 pages—
10 Doc. 46, 47, 62 and Oct. 18, 2017 hearing), appeals court opinion (13 pages),
11 August 29, 2017 C. Clifford Shirley, Jr. hearing to remove Bobby Hutson, Jr.
12 (Public Defender) appointed for Randall-Keith:Beane by C. Clifford Shirley, Jr.
13 (34 pages—Doc. 40), and several other case documents. The actions taken by the
14 perpetrators and coconspirators were unlawful.

15 This is a shocking and ugly story about United States District Court Judges,
16 Sixth Circuit Appellate Judges, Department of Justice Prosecutors, FBI Agents,
17 Knoxville County Sheriff Deputies, Court Clerk, and other bad actors who
18 conspired against Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf to falsely
19 imprison them and deprive them of their God-given liberty, freedom and rights.
20 The perpetrators and coconspirators manipulated evidence to secure an indictment

1 and conviction. The appellate judges and the BAR attorneys they appointed to
2 represent Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf could have enforced
3 the rule of law as they know it exists but they chose not to. They joined in and
4 played their role in the conspiracy. We suspect it was all done for the purpose of a
5 big pay day. Railroading Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf into
6 federal prison was a willful act to inflict pain and suffering to silence them and
7 cover up the \$31,000,494.97 heist.

8 Heather-Ann:Tucci:Jarraf provided lawful assistance with regard to the
9 Randall-Keith:Beane Factualized Trust and that work apparently provided the
10 opportunity for the perpetrators and conspirators to make up a charge against
11 Heather-Ann:Tucci:Jarraf to get her for her work in foreclosing the United States
12 of America corporation, the Federal Reserve, the BIS, etc. through the Uniform
13 Commercial Code.

14 Mrs. Tucci:Jarraf has the right to earn a living income by being compensated
15 with wages in a fair exchange for her work. She is also entitled to offer her
16 services free of charge as was the case with Mr. Beane.

17 The perpetrators and conspirators bullied, threatened, lied, deceived,
18 misrepresented, and concealed their way to an indictment and conviction.

19 We read the “**Report of the Commission on Unalienable Rights**” and hope
20 that you will keep the following passage in mind as you read about the judges,

1 prosecutors, investigators, deputy sheriffs, bankers and others who plotted and
2 conspired against Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf. The
3 conspiracy led them to commit criminal acts such as fraud, felony aggravated
4 assault causing bodily injury, felony kidnapping, and felony false imprisonment in
5 violation of 18 U.S. Code § 4. (Att. #44) Perpetrators and conspirators were on a
6 mission – not of justice – to terrorize Randall-Keith:Beane and Heather-
7 Ann:Tucci:Jarraf and to deprive them of their rights.

8 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf were treated as though
9 they had NO RIGHTS at all, but the Creator has absolutely given them the right to
10 life, liberty, freedom, private property and the pursuit of happiness. These God-
11 given rights are acknowledged in the Declaration of Independence, Bill of Rights,
12 Constitution and case history: “Every man is independent of all laws, except those
13 prescribed by nature. He is not bound by any institutions formed by his fellow-
14 men without his consent.” (Cruden vs. Neale, 2 NC 338)

15 As stated in City of Dallas v. Mitchell (245 S.W. 944 (1922)), “**The rights of**
16 **the individual are not derived from governmental agencies**, either municipal,
17 state or federal, **or even from the Constitution. They exist inherently in every**
18 **man, by endowment of the Creator**, and are merely **reaffirmed in the**
19 **Constitution...**”

1 The perpetrators and conspirators trampled all over Mr. Beane's and Mrs.
2 Tucci:Jarraf's Rights. The Report of the Commission on Unalienable Rights,
3 outlines some of those rights in the following paragraphs located on page 13 (Att.
4 #58.2):

5 The aim must always be to restore political society. The civil liberty that political
6 society makes possible — **the rights to travel**; to enter contracts and agreements;
7 to possess, use, purchase, and dispose of property; to the **protection of person and**
8 **property**; to the **equal application of criminal laws**; and to **fair and equal**
9 **treatment in court** — enables individuals to live safely in their families and
10 communities and to enjoy their unalienable rights.

11
12 “Foremost among the unalienable rights **that government is established to**
13 **secure**, from the founders' point of view, are **property rights** and religious liberty.

14 A political society that destroys the possibility of either loses its legitimacy.
15 For the founders, **property refers not only to physical goods and the fruit of**
16 **one's labor but also encompasses life, liberty, and the pursuit of happiness.**
17 They assumed, following philosopher John Locke, that the protection of property
18 rights benefits all by increasing the incentive for producing goods and delivering
19 services desired by others.”

20
21 “Protection of property rights is also central to the effective exercise of positive
22 rights and to the pursuit of happiness in family, community, and worship. **Without**
23 **the ability to maintain control over one's labor, goods, land, home, and other**
24 **material possessions, one can neither enjoy individual rights nor can society**
25 **build a common life.** Moreover, the choices we make about what and how to
26 produce, exchange, distribute, and consume can be tightly bound up with the kinds
27 of human beings we wish to become. Not least, **the right of private property**
28 **sustains a sphere generally off limits to government**, a sphere in which
29 **individuals, their families, and the communities they form can pursue**
30 **happiness in peace and prosperity.** “

1 **II) Perpetrators and Coconspirators:**

- 2 1) David True Brown, Jr., Director, Financial Crimes Investigation USAA
3 Bank – Texas
4
5 2) Wayne Peacock, USAA Bank CEO and President – Texas
6
7 3) Stuart Parker, USAA Bank Former CEO and President – Texas
8
9 4) Dan McNamara, President USAA Bank – Texas
10 5) Michael Merwarth, Senior Vice President USAA Bank – Texas
11
12 6) Torben Ostergaard, Executive Vice President and Chief Risk Officer USAA
13 Bank – Texas
14
15 7) Dana Simmons, Executive Vice President, CEO Chief of Staff USAA Bank
16 – Texas
17
18 8) Laura Bishop, Executive Vice President and Chief Financial Officer USAA
19 Bank -- Texas
20
21 9) FBI Special Agent Parker Still, Esq. -- Knoxville, Tennessee
22
23 10) FBI Special Agent Jimmy Durand – Knoxville, Tennessee
24
25 11) FBI Special Agent Jason Pack -- Knoxville, Tennessee
26
27 12) FBI Special Agent Joelle Vehec -- Knoxville, Tennessee
28
29 13) FBI Forensic Accountant Zach Scrima -- Washington, DC
30
31 14) Asst. U.S. Attorney Cynthia F. Davidson, Esquire -- Tennessee
32
33 15) Asst. U.S. Attorney Anne-Marie Svolto, Esquire – Tennessee
34
35 16) United States Attorney Nancy Stallard Harr -- Tennessee
36
37 17) United States Attorney James Douglas Overbey -- Tennessee

- 1 18) US District Judge Thomas A. Varlan - Tennessee
- 2 19) US Magistrate Judge C. Clifford Shirley, Jr. (Retired) -- Tennessee
- 3 20) United States Magistrate Judge (then clerk) Debra C. Poplin (District
4 Court for the Eastern District of Tennessee)
- 5
- 6 21) Court Clerk John Medearis (then chief deputy clerk) (District Court
7 for the Eastern District of Tennessee)
- 8
- 9 22) Jaron Patterson, Univ. of Tennessee Police Dept. and FBI Cyber Task
10 Force Investigator
- 11
- 12 23) Knoxville County Sheriff Deputy Blaine -- Tennessee
- 13
- 14 24) Sean O'Malley, New York Federal Reserve Investigator, and the New
15 York Federal Reserve Bank -- New York
- 16
- 17 25) Stephen G. McGrath (Assigned by Court to be Randall-Keith:Beane's
18 trial "elbow counsel.")
- 19
- 20 26) Bobby Hutson, Jr. (Tennessee Public Defender appointed for Randall-
21 Keith:Beane by United States Magistrate Judge C. Clifford Shirley, Jr.)
- 22
- 23 27) Stephen Louis Braga, Univ. of Virginia, Appellate Litigation Clinic
24 (Unauthorized Appellant Brief filed by Mr. Braga for Randall Keith Beane)
- 25
- 26 28) Dennis G. Terez, Counsel for Appellant Heather Ann Tucci:Jarraf
- 27
- 28 29) Jeffrey Sutton, Circuit Judge, U.S. Court of Appeals for the Sixth Cir.
- 29
- 30 30) Deborah L. Cook, Senior Circuit Judge, U.S. Court of Appeals for the
31 Sixth Circuit
- 32
- 33 31) Amul Thaper, Circuit Judge, US Court of Appeals for the 6th Circuit
- 34 32) Jason Stone, Ridgeland, South Carolina Police Officer
- 35 33) Leah Spoone, Knoxville County Sheriff Arresting Officer

1 34) Sara Andersen, Affiant, Knoxville County Sheriff Arresting Officer

2 35) D.T. Harnett, FBI Task Force Office

3
4 36) Terry Wilshire, Captain, Knox County Sheriff's Office

5
6 37) John and Jane Doe

7 **III) Emolument Violations** (Article I, Sect. 8, Clause 14 – Rules for the
8 Government/the US Code – ICCPR Treaty – US and State Constitution):

9 **DEFINITION**

10 **EMOLUMENT.** The profit arising from office or employment; that which is
11 received as a compensation for services, or which is annexed to the possession of
12 office as salary, fees, and perquisites; advantage; gain, public or private. Webster.
13 Any perquisite, advantage, profit, or gain arising from the possession of an office.
14 (Black's Law Dictionary, 4th Edition, P. 616)

15
16 **EMOLUMENT.** The lawful gain or profit which arises from an office. (Bouvier's
17 Law Dictionary, Revised Sixth Edition, P. 687)

- 18
19 • United States Constitution – Due Process - Amendments IV, V, VI, and XIV
- 20 • Tennessee Constitution – Article I – Declaration of Rights to include
21 sections 2, 7, 8, 9, 10, 15, 18 and 21. (Att. #73.1, #73.2, #73.3)
- 22
23 • International Covenant on Civil and Political Rights Treaty Article 1, Article
24 6, 7, 8, 9, 10, 12, 14, 17 (Att. #35.1, #35.2, #35.3, #35.4)
- 25 • 18 U.S. Code § 241. Conspiracy against rights (Att. #38)
- 26 • 18 U.S. Code § 242. Deprivation of rights under color of law (Att. #39)
- 27 • 18 U.S. Code § 1590. Trafficking with respect to peonage, slavery,
28 involuntary servitude, or forced labor (Att. #40)

- 1 • 39-14-405 -- Tennessee Criminal Trespass (Att. #50)
- 2 • 25 CFR § 11.411 - Criminal trespass (Att. #47)
- 3 • 39-13-101 – Tennessee Assault (Att. #48)
- 4 • 39-13-102 – Tennessee Aggravated Assault (Att. #49)
- 5 • Tennessee Code § 40-6-103. Probable cause and affidavit (Att. #52)
- 6 • Tennessee Code § 40-6-104. Examination of complainant (Att. #53)
- 7 • Tennessee Code § 40-6-201. "Warrant of arrest" defined
- 8 • Tennessee Code § 40-6-203. Examination of affiant
- 9 • Tennessee Code § 40-6-205. Issuance of warrant
- 10 • Tennessee Code § 40-6-208. Contents of warrant (Att. #54)
- 11 • Tennessee Code § 40-6-216. Copies of warrants (Att. #55)
- 12 • 18 U.S. Code § 1621. Perjury (Att. #42)
- 13 • 18 U.S. Code § 2382. Misprision of treason (Att. #43)
- 14 • 18 U.S. Code § 2234. Authority exceeded in executing warrant (Att. #12)
- 15 • 18 U.S. Code § 2236. Searches without warrant (Att. #13)
- 16 • 18 U.S. Code § 4. Misprision of felony (Att. #44)
- 17 • 18 U.S. Code § 371. Conspiracy to commit offense or to **defraud United**
- 18 **States** (Wrongful use of a governmental agency or instrumentality.) (Att.
- 19 #46)

- 1 • 22 U.S. Code § 7102. Definition--Abuse or Threatened Abuse of Law or
- 2 Legal Process and Coercion (Att. #22)
- 3 • Executive Order 13818 of December 20, 2017 - Blocking the Property of
- 4 Persons Involved in Serious Human Rights Abuse or Corruption

5 **IV) Summary of the Case**

6 On July 11, 2017, after completing a private business transaction at Buddy
7 Gregg RVs & Motor Homes in Knoxville, Tennessee, eight (8) or nine (9)
8 junkyard dogs dressed in suits (Trial transcript, Vol. V, P. 114, Line 4-6), who did
9 not identify themselves as FBI agents, physically assaulted and unlawfully arrested
10 Randall-Keith:Beane. Four of the eight or nine are named in this complaint. The
11 other names are unknown.

12 Let's start with the trial excerpt that shows how United States of America v.
13 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf started according to FBI
14 perpetrator and coconspirator Parker Still:

15 **Heather-Ann:Tucci:Jarraf Cross Examination of Parker Still (FBI), Trial**
16 **Transcript Volume I, P. 48-51, Line 17-25, 1-25, 1-12, 8-25, 1-2**

17
18 Q So what actual information, when you were writing this affidavit, okay, for
19 the seizure of the vehicle –

20
21 A Right.

22
23 Q what actual information had you received that there was actually a possible
24 crime committed by Mr. Beane to believe that the RV wasn't his?

1 A The information primarily from what I've stated from USAA at the time.
2 That's what we were relying on, that information from USAA that is telling us that
3 their money has been stolen.

4
5 Q **Was there a complaint filed so it's in writing or was this just a phone**
6 **conversation?**

7
8 A **No.** So we got some -- we had some written information from USAA, and
9 then we -- I believe I was referencing back to my 302, again that -- the
10 memorandum, where I'm actually on the phone. We're conducting an interview
11 with Mr. Brown (True Brown of USAA Bank), at this time who you're referencing,
12 to get all that information, yes, ma'am.

13
14 Q Okay. So you found out about the funds approximately the 10th?

15
16 A Uh-huh.

17
18 Q And on the 11th, you didn't have any kind of written report from USAA,
19 just that someone had stolen their money.

20
21 A **We had just some** -- some **basic facts** that were **provided to us by USAA**
22 **in a document**, yes, ma'am.

23
24 Q In a document?

25
26 A Yes, ma'am.

27
28 Q **And that document is what document?**

29
30 A I believe.

31
32 Q **On USAA letterhead** or --

33
34 A **I think it was** attached to an **e-mail** from USAA. Again, and I followed up
35 with an interview.

36
37 Q Uh-huh. And **what was this attachment?**

38
39 A There was **some notes** I know, like I was describing, and then I think there
40 was some kind of **maybe** IP logs that showed a -- where, you know -- **just IP logs.**

1 Q And that is what you used to make a determination that a -- when you
2 were working on an affidavit for the warrant, because you have to basically have
3 an application of affidavit, an affidavit application for a warrant in order for
4 a warrant to be issued. Is that correct?

5
6 A You have -- yeah, well you have an affidavit that we swear to, you know,
7 facts, and then, yeah, it's -- yes, ma'am. You would then, I guess, you -- yeah,
8 there is an application, an affidavit, and then you ultimately get an order from the
9 court -- from the magistrate judge, yes, ma'am.

10
11 Like I said, we were working on the affidavit. It is not a finished product at this
12 time. We are working on it. We have credible, reliable information from one of
13 the, you know, a large financial -- United States financial institution that a theft has
14 occurred. And we are conducting an investigation accordingly and reacting
15 accordingly. Have no reason to doubt USAA's information that they provided
16 to us.

17
18 Q So at that point, you had determined that USAA Bank was the victim
19 before looking at any other information?

20
21 A I -- at that time, yes.

22
23 You just read perpetrator and conspirator Parker Still say that on July 11,
24 2017 (armed with USAA "HE SAID" basic facts) he snatched Randall-
25 Keith:Beane out of his life, kidnapped him, and stole the private property
26 motorhome without an arrest warrant and without a search and seizure warrant.
27 Perpetrator Still had no direct knowledge. He did not have a sworn complaint. He
28 did not investigate. He said he relied on what he was told by USAA Bank.

29 Perpetrator and conspirator Parker Still went on a crime spree that included
30 aggravated assault (Att. #34.5, #34.6, #34.7, #30.5) felony kidnapping (Att. #30.4,
31 #34.9, #34.10, #41), and deliberate misuse and abuse of power. (Att. #15, #12,

1 #22) US Attorney perpetrators Cynthia F. Davidson and Anne-Marie Svolto went
2 on the crime spree with their coconspirator joining malfeasant officials as
3 malfeasant prosecutors and malfeasant judges -- all of them defecating on the
4 United States and Tennessee Constitutions along their conspiracy plotting way
5 with total disregard for Mr. Beane's rights. (Att. #17, #18, Trial Transcript
6 Volume I, P. 57 Line 15-23)

7 Government agencies and instrumentalities are divisions of the federal
8 government that serve a specific public purpose. Those in positions of emolument
9 are there to perform a governmental function guided by the restrictions set forth in
10 the US code which describes their jurisdiction. FBI and DOJ perpetrators and
11 conspirators operated outside their jurisdiction – 18 U.S. Code § 3052 (FBI – Att.
12 #15), 28 U.S. Code § 547 (US Attorney – Att. #18), and 28 U.S. Code § 516 (DOJ
13 – Att. #17). They used their position of emolument to frame and falsely imprison
14 two innocent Americans under color of law in violation of 18 U.S. Code § 371, etc.
15 (Att. #46, #22, #38, #39, etc.)

16 Perpetrator and conspirator Parker Still made it clear he found out about the
17 “funds” on July 10, 2017 by way of an e-mail he received from USAA Bank
18 investigator and former FBI agent True Brown.

19 With “basic facts” provided by USAA Bank in an e-mail attachment in the
20 form of ‘notes and IP logs’ perpetrator and conspirator Parker Still says he was

1 able to determine Randall-Keith:Beane, whom he had never met nor interviewed,
2 had committed a crime.

3 The next day, July 11, 2017, Randall-Keith:Beane was completing a private
4 business transaction at Buddy Gregg RVs & Motor Homes in Knoxville,
5 Tennessee when he was ambushed by FBI special agent Parker Still, Esq., FBI
6 special agent Jimmy Durand, FBI special agent Jason Pack, FBI special agent
7 Joelle Vehec, FBI Task Force Office D.T. Harnett, and unknown Knoxville county
8 sheriff deputies. They didn't have a copy of a warrant. The warrant they verbally
9 alleged to exist was a South Carolina warrant disposed of two years earlier. They
10 didn't have a complaint or sworn affidavit. They had never met, interviewed, or
11 spoken to Randall-Keith:Beane, but they proceeded to unlawfully trespass on a
12 private motorhome without consent, dragged Mr. Beane out of the private
13 property, beat him up inflicting a bleeding cut on his head, twisted his arm, gave
14 him a black eye and a bruised body (Att. #34.6 and #34.7), pulled down his shorts
15 (Att. #34.8, #34.9) and made him stand handcuffed in the hot Tennessee summer
16 sun for 45 minutes to an hour (Trial transcript, Vol. V, P. 114, Line 7-15). They
17 bandaged Mr. Beane's head too tight (Att. #34.8) likely to ensure further
18 discomfort and pain. They eventually threw Randall-Keith:Beane in a jail cell and
19 left him there for 17 days without a warrant or probable cause hearing. Trial
20 excerpt:

1 **Heather-Ann:Tucci:Jarraf Cross-examination of perpetrator and**
2 **coconspirator Parker Still, Trial Testimony, Volume I, P. 53, Line 3-7):**

3
4 Q yes or no, was the first time that you met Randall on July 11th when
5 your teams passed him out of the vehicle? Was that the first time?

6
7 A **The first time we ever met Mr. Beane was on July 11th.**

8
9 FBI special agents arrested Randall-Keith:Beane on July 11, 2017 in
10 Tennessee using a South Carolina statewide traffic related bench warrant
11 that had been disposed of two-years earlier. (Att. #1.2 and #2.1). They
12 asked Knoxville county sheriff deputy perpetrators and coconspirators to
13 hold Mr. Beane like you might ask someone to hold a sack of potatoes for
14 you until you come back. But it wasn't a sack of potatoes. It was a man – a
15 live, breathing member of mankind with God given unalienable rights that
16 were trampled upon. The FBI perpetrators and coconspirators knew there
17 was no probable cause so they dared not go before a magistrate/judge. They
18 knew they did not have a valid warrant so they asked Knoxville county
19 sheriff to hold Mr. Beane while they presented a tale to the grand jury on
20 July 18, 2017 and created all the fictitious documents they needed to be able
21 to place Mr. Beane in the federal system.

22 Knoxville county sheriff had NOOOOOO reason to hold Mr. Beane in their
23 system so they had to make one up. They decided against being honest and telling
24 the FBI we're not holding him for you because we don't have a reason to and

1 clearly you don't either. They decided to use the statewide South Carolina traffic
2 related bench warrant that had been disposed of two years earlier (Att. #1.2 and
3 #2.1) to say "he's a fugitive from justice" and hold Mr. Beane while FBI and DOJ
4 perpetrators and conspirators scrambled to get their fraudulent indictment and
5 arrest warrant.

6 Knoxville County Sheriff knew the South Carolina traffic related bench
7 warrant was statewide and it had been disposed of two years earlier. They knew
8 this but they unlawfully and illegally continued to detain Mr. Beane.

9 Knoxville county sheriff's fake case against Randall-Keith:Beane went
10 through Tennessee's General Sessions Court where an honest judge, Magistrate
11 Rowe, tried to put the brakes on their chicanery. Magistrate Rowe issued a release
12 July 13, 2017 and the Knoxville county sheriff still did not release Randall-
13 Keith:Beane. Captain Terry Wilshire of the Knoxville county sheriff's department
14 testified as follows:

15 **Heather-Ann:Tucci:Jarraf Cross Examination of Terry Wilshire, Volume**
16 **VII, P. 23-24, Line 21-25; 1-25**

17
18 Q Okay. And, again, it shows two warrants, Warrant 1202006
19 with a star next to it. Correct?

20
21 A Correct.

22
23 Q Okay. And it also lists another Warrant 1202373. Correct?

24
25 A That is correct.
26

1 Q Okay. And it has a booking date next to each warrant. This one
2 shows July 12th for the booking date of warrant ending in 2006. Correct?

3
4 A Correct.

5
6 Q With a serve date of July 12th?

7
8 A Uh-huh.

9
10 Q And for the other warrant ending in 2373, it shows booking
11 date of 7/13/2017. Correct?

12
13 A Correct.

14
15 Q And it shows served date July 13th, 2017. Correct?

16
17 A That's correct.

18
19 Q Okay. And then below that, is the star with "**Per Magistrate**
20 **Rowe, will ROR.**" Correct?

21
22 A Correct.

23
24 Q Okay. And **ROR**?

25
26 A **Means release on recognizance.**

27
28 Q And it shows underneath that, "**Has emailed DA with**
29 **circumstances to have this instrument cancelled.**" Correct?

30
31 A **That's correct.**

32
33 Q Okay. And the actual date of this report was on July 13th,
34 2017. Correct?

35
36 A Correct.

37
38 Q At 23:41 hours?

39
40 A That's correct.

1 **Heather-Ann:Tucci:Jarraf Cross Examination of Terry Wilshire, Volume**
2 **VII, P. 25, Line 3-5**

3
4 A That's a release issued from the courts.

5
6 Q This was issued on July 13th, 2017. Correct?

7
8 A Yes.

9
10 Perpetrator and conspirator Sheriff Deputy Leah Spooone unlawfully arrested
11 Mr. Beane July 12, 2017 while he was unlawfully in the custody of the sheriff at
12 the request of the FBI who had unlawfully arrested Mr. Beane the day before –
13 July 11, 2017. Perpetrator and conspirator Sheriff Deputy Sara Andersen
14 unlawfully arrested Mr. Beane a third time July 13, 2017 while he was still in the
15 custody of the sheriff being unlawfully held for the FBI. Even though **Tennessee**
16 **General Sessions Court Magistrate Rowe told them to release Randall-**
17 **Keith:Beane July 13, 2017** – they did not! Knoxville County Sheriff decided to
18 continue to hold Randall-Keith:Beane until the FBI could serve their detainer July
19 19, 2017 – **six days after** the magistrate ordered Mr. Beane's release. You see on
20 the 13th the FBI still did not have an indictment or a federal warrant. The grand
21 jury hearing was scheduled for the 18th so they had to wait until the 18th to get the
22 fraudulent indictment. The fictitious and fraudulent Tennessee district court arrest
23 warrant was not issued until the 19th. Knoxville County Sheriff unlawfully
24 detained Randall-Keith:Beane after the general sessions court ordered them to
25 release Mr. Beane. They continued to unlawfully detain Mr. Beane while the FBI

1 gathered their fraudulent documents so they could transfer Randall-Keith:Beane to
2 the federal system. Trial transcript:

3 **Cynthia F. Davidson Recross-Examination of Parker Still Trial Transcript,**
4 **Volume VII, P. 60, Line 8-24**

5
6 Q Just to make it clear, what's a detainer?

7
8 A A detainer is simply -- just basically lets another agency know there's
9 a federal warrant and not to release that individual, because that would just -- I
10 mean, **that would create extra work** and a risk to public safety, someone who
11 we've got a federal indictment for to be released. So we're just simply notifying
12 that agency that there's a federal warrant out there.

13
14 Q Okay. And specifically with Mr. Beane, **we had tons of testimony**
15 **that he was being held on the South Carolina warrant in -- by the Knox**
16 **County Jail.** Why did you send a detainer to the Knox County Jail?

17
18 (REMEMBER—the South Carolina warrant perpetrator and coconspirator Cynthia
19 F. Davidson referred to was disposed of two years earlier – July 17, 2015 – AND
20 SHE KNEW IT!)

21
22 A Simply because that's where he was located.

23
24 Q So he was held in state custody, and you were notifying them that
25 before they released him, he needed to be transferred to federal custody?

26
27 A Yes, ma'am.

28
29 Neither the FBI nor the Knox county sheriff had lawful authority to hold Mr.
30 Beane on a South Carolina statewide traffic related bench warrant that had been
31 disposed of two years earlier. FBI and Knox county sheriff deputy perpetrators
32 and conspirators kept Randall-Keith:Beane jailed unlawfully and illegally for

1 seventeen (17) days until they arrested him the 4th time – with a fraudulent district
2 court warrant issued in connection with a fraudulent indictment.

3 Randall-Keith:Beane was arrested four times and not one of them was with a
4 valid warrant:

5 1) The FBI arrested Randall-Keith:Beane at Buddy Gregg RVs & Motor
6 Home on July 11, 2017. They had no warrant or indictment or other
7 paperwork to legally and lawfully detain Mr. Beane so they asked
8 Knoxville county sheriff to detain Randall-Keith:Beane until they could
9 get the documents they needed to put Mr. Beane in the federal system.

10
11 2) The Knoxville county sheriff department used the South Carolina
12 statewide traffic related bench warrant disposed of two years earlier as
13 the predicate to arrest Mr. Beane July 12, 2017 (having already held him
14 for 24 hours unlawfully without a warrant) as a “fugitive from justice” in
15 order to put him in their system. They had to put Mr. Beane in their
16 system to continue to detain him for the FBI while the FBI gave
17 fraudulent testimony to a grand jury to secure a fraudulent federal
18 indictment and obtain a fraudulent arrest warrant.

19
20 3) Knoxville county sheriff’s dept. arrested Mr. Beane again July 13, 2017
21 because they made a typo in the July 12, 2017 arrest warrant. Trial
22 transcript:

23
24 **Heather-Ann:Tucci:Jarraf Cross Examination of Terry Wilshire, Volume**
25 **VII, P. 37, Line 8-13**

26
27 A Replaced. If not corrected, it was replaced. Replaced by
28 a new one, because it had a typo on the other one, the top one.

29
30 Q So it was replaced with the second warrant that's listed
31 there?

32
33 A Correct.

34
35 July 13th is the day the General Sessions Court magistrate judge told the sheriff to
36 release Mr. Beane. The magistrate judge also sent a note to the DA to cancel the

1 instrument. The magistrate judge clearly saw the fraud in what the perpetrators
2 and coconspirators were doing.

3
4 4) On July 27, 2017 (17 days later) the FBI finally got around to arresting
5 Mr. Beane at the Knoxville county jail with a United States District Court
6 fraudulent fictitious signed arrest warrant issued July 19th. The sheriff
7 held Mr. Beane from July 11th through July 27th (17 Days) without a valid
8 warrant. The US district court took over the fraud on the 27th.

9
10 The first three arrests were based on the South Carolina statewide
11 misdemeanor traffic related bench warrant that had been disposed of two years
12 earlier. The fourth (4th) time they arrested Randall-Keith:Beane it was based on a
13 fraudulent fictitious signed Tennessee district court warrant that was issued based
14 on a fraudulent indictment in which perpetrator and conspirator Parker Still and the
15 FBI did not have jurisdiction to initiate the case. Perpetrator and conspirator
16 Parker Still was the one and only witness – to what you ask? He said he saw with
17 his own eyes a man sitting behind the wheel of a private property motorhome with
18 the engine and air conditioning running on a hot summer Tennessee day.

19 They did all this to Randall-Keith:Beane using a South Carolina statewide
20 (not national or international) misdemeanor traffic related bench warrant that had
21 been disposed of two years earlier.

22 Mr. Beane had the Right to be presumed innocent, suffering no detention or
23 arrest and no search or seizure without reasonable cause. He was entitled to a
24 presumption of innocence but the perpetrators decided he was guilty long before
25 they arrested him. This is because he was targeted. It wasn't about justice or the

1 rule of law. It was about someone getting their rabid paws on \$31,000,494.97.

2 (Att. #31.3)

3 The FBI did not have a sworn complaint, first-hand account, or jurisdiction
4 to testify before a grand jury about Mr. Beane's private business transaction.

5 **Parker Still Grand Jury Testimony, P. 21, Line 3-5**

6 "He (Randall-Keith:Beane) was arrested. Just to clarify, **he was arrested by**
7 **us (FBI)** on – **he had an outstanding warrant on a state charge.**" (Att. #29.3)

8
9 Please note perpetrator and conspirator Parker Still does not identify which
10 state he's referring to leaving it up to the grand jury to presume he was referring to
11 Tennessee when he said "state charge." He intentionally misled the grand jury into
12 thinking he was referring to an outstanding Tennessee warrant. The state warrant
13 perpetrator and conspirator Parker Still referred to was a South Carolina statewide
14 misdemeanor traffic related bench warrant that had been disposed of two years
15 earlier. There was NO OUTSTANDING WARRANT and NO FBI
16 JURISDICTION.

17 18 U.S. Code § 3052 (Powers of Federal Bureau of Investigation) states a
18 **FBI agent has the authority to serve warrants issued under the authority of**
19 **the United States.** It says nothing about digging up an old South Carolina state
20 traffic related warrant. Perpetrator and conspirator Parker Still said under oath the
21 FBI arrested Mr. Beane using "an outstanding warrant on a state charge." (Att.
22 #29.3 and #31.6) It was not outstanding, active, or in Tennessee.

1 On/about July 18, 2017, knowing the FBI did not have jurisdiction,
2 perpetrator and conspirator Parker Still, who had beat up Randall-Keith:Beane
3 seven days earlier, sashayed down to the grand jury to testify and bear false
4 witness against the man whom he had never met nor interviewed and whom he had
5 participated in the aggravated assault. Perpetrator and conspirator Parker Still was
6 the ONE-AND-ONLY witness to testify before the grand jury. Randall-
7 Keith:Beane and Heather-Ann:Tucci:Jarraf were indicted that day.

8 On/about July 19, 2017 the United States District Court for the Eastern
9 District of Tennessee issued **fraudulent warrants** to arrest Randall-Keith:Beane
10 and Heather-Ann:Tucci:Jarraf. The warrants were supposed to be signed by the
11 clerk – they weren't. The warrants appear to have been signed with a fictitious
12 name -- "A. Brush." They were signed with "deputy clerk" title. 18a U.S. Code
13 Rule 9 (Arrest Warrant on an Indictment) requires the clerk to sign the arrest
14 warrant. (Att. #10)

15 There was no probable cause hearing and Randall-Keith:Beane was not
16 given a detention hearing. Under threat and duress, on/about July 27, 2017,
17 Randall-Keith:Beane was forced to sign a "waiver of detention hearing" approved
18 by perpetrator and conspirator magistrate judge C. Clifford Shirley.

1 On/about August 29, 2017 Randall-Keith:Beane had his public defender
2 (Bobby Hutson) raise the issue of the detention hearing and it fell on deaf ears:

3 Hearing transcript:

4 “**MR. HUTSON:** I understand, Your Honor. He is also potentially going to
5 want to request some type of detention hearing or update. **THE COURT:** We can't
6 get started, we can't get to that.” (P. 9, Line 11-14, August 29, 2017 C. Clifford
7 Shirley, Jr. hearing to remove Bobby Hutson, Jr. [Public Defender] appointed by
8 C. Clifford Shirley, Jr., Document. 40, 34 pages – Att. #61.2)

9 Perpetrators and conspirators Thomas A Varlan and C. Clifford Shirley
10 know subject matter jurisdiction cannot be waived and personal jurisdiction cannot
11 be gained by kidnapping. Because the FBI did not have jurisdiction, legal or
12 lawful authority, to snatch Randall-Keith:Beane out of his life and throw him in a
13 jail cell, the district court certainly did not have jurisdiction to proceed.

14 With no valid arrest warrant and no consent it is, indeed, **KIDNAPPING!**
15 (Att. #41) They kidnapped Randall-Keith:Beane using a disposed of South
16 Carolina statewide misdemeanor traffic related bench warrant. They snatched
17 Heather-Ann:Tucci:Jarraf out of her life by kidnapping her with an invalid
18 **fraudulent fictitious signed arrest warrant** issued by the United States District
19 Court for the Eastern District of Tennessee.

20 In legal prosecution all legal requisites must be complied with to confer
21 jurisdiction on the court in criminal matters. They didn't have a valid warrant.
22 They never held a probable cause hearing for Randall-Keith:Beane. And they

1 forced Randall-Keith Beane to sign a detention hearing waiver. At that stage how
2 did perpetrators and conspirators United States district judge Thomas A. Varlan
3 and United States magistrate judge C. Clifford Shirley determine the courts
4 authority to proceed and adjudicate the matter? They knew they didn't have
5 jurisdiction to proceed but that didn't matter because this case was not about
6 justice or the rule of law. It was a prosecution intended to human traffic and
7 imprison Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf. Randall-
8 Keith:Beane and Heather-Ann:Tucci:Jarraf had to be moved out of the way to hide
9 the theft of \$31,000,494.97 stolen from Randall-Keith:Beane.

10 During the trial DOJ perpetrators and conspirators pushed the lie about
11 Randall-Keith:Beane's social security account number being altered. The color of
12 law codes charged 18 USC §1343 (Fraud by wire, radio, or television), §1344
13 (Bank fraud), §1956 (Laundering of monetary instruments), and §1957 (Engaging
14 in monetary transactions in property derived from specified unlawful activity) are
15 ALL based on the obvious lie the prosecutors told that Randall-Keith:Beane used
16 his social security account number with one digit altered.

17 It is a fairly ridiculous argument to say Randall-Keith:Beane changed his
18 social security account number by one digit to make the transaction go through and
19 not explain how Randall-Keith:Beane would know to change the 3rd digit by
20 moving it up one digit. The first three digits of Randall Keith Beane's social

1 security account number are 243. They said he changed it to 244 to get the
2 transaction to go through. How would Randall-Keith:Beane have known to do
3 that? You don't get endless attempts to guess the correct account number in a
4 banking transaction. They didn't accuse Randall-Keith:Beane of computer
5 hacking so how would he have known to change his social security account
6 number by moving the third digit up one digit – from 243 to 244? This is among
7 the intentional and deliberate lies the perpetrators and conspirators stated to
8 mislead the grand jury and trial jury.

9 One of the grand jurors knew it was a false and ridiculous accusation.

10 GRAND JURY transcript:

11 **A JUROR:** I really have a problem trying to wrap around the idea that a
12 fine institution that handles money all day long can accept somebody doing this.
13 And without batting an eye and open a CD for, what was the first one, 500,000 in
14 money? That they don't have any proof that there's 500,000 to cover CD, and then
15 it goes on to the 999,000. (Grand Jury Transcript, P. 57, Line 16-21)

16 If I go and use my debit card before I get back home it's already taken out of
17 my account, you know what I'm saying? I can check my bank online and it's
18 already gone. How does an electronic wiring fraud happen when I can't do it on a
19 \$20 Food City grocery bill. I mean, they know before I leave that aisle that I've
20 got \$20 in there to cover that bill. How does that happen? **I mean, how--** (Grand
21 Jury Transcript, P. 57-58, Line 22-25; 1-5)

22 Perpetrator and coconspirator Cynthia F. Davidson shut-down the grand
23 juror. Her role was to get that indictment so they could proceed to prosecution.

24 **MS. DAVIDSON:** I don't know if that's a proper question for the
25 consideration of the Grand Jury. I mean, the fact of the matter, we showed you
26 evidence that it did happen in this case. (Grand Jury Transcript, P. 58, Line 6-9)

1 The grand juror knew the accusation that Mr. Beane altered his social
2 security account number by one digit was nonsensical. It was likely hard for the
3 grand juror(s) to imagine the US Attorney prosecutors and FBI witness would lie
4 to them so even though the prosecutor's cockamamie story didn't add up they went
5 with it.

6 The grand juror's job is to question and investigate. Perpetrator and
7 conspirator Cynthia F. Davidson didn't appreciate the grand juror asking questions
8 so she bullied the grand juror into shutting up and it clearly worked.

9 Without the absurd accusation that Mr. Beane changed one digit in his social
10 security account number §§1343, 1344, 1956, and 1957 all go down the tubes.
11 Their fraud and money laundering charge was completely dependent upon their
12 allegation Mr. Beane changed one digit in his social security account number.

13 To further elaborate on this piece of the conspiracy, thousands of other
14 Americans accessed their treasury direct depository account during this same time
15 frame. Did they all change their social security account number by one digit? Of
16 course not – they used their social security account number to access their treasury
17 direct depository account.

18 On July 11, 2017 perpetrator and conspirator True Brown (USAA Bank
19 Investigator) sent an email (the day of the unlawful arrest of Randall-Keith:Beane)
20 in which he both acknowledged the account number is the same as the social

1 security number while at the same time pushing the lie that Randall-Keith:Beane
2 entered his social security account number “with one digit altered.” (Att. #62.2)
3 The email below shows USAA Bank executive management involvement.

4 **From:** Brown, True [mailto:True.Brown@usaa.com]
5 **Sent:** Wednesday, July 12, 2017 9:10 AM
6 **To:** Still, Parker H. (KX) (FBI) <phstill@fbi.gov>
7 **Subject:** Information request on arrest and RV

8 Parker

9 Now that the smoke has cleared a little; are you in a position to advise: 1. what charges Randall
10 Beane was arrested/detained on

11 2. Do you have any info on the RV such as the VIN (trying to get a pic for
12 my management) - if I have VIN I can go to dealer website

13 3. Do you anticipate charging Beane on complaint

14 Again, thank you again for jumping on this matter. **The quick actions taken has really impressed**
15 **USAA Executive Management team**. Makes me proud of the organization.

16 Let me know what additional information you need and we will pull it.

17 True
18

19 (Att. #63)

20 Lying to falsely imprison an innocent man is impressive to USAA Bank
21 executive management team? USAA did not file a sworn complaint or affidavit
22 against Randall-Keith:Beane. Why would they want Randall-Keith:Beane
23 arrested? The only thing to happen as of the July 12th email was Randall-
24 Keith:Beane was arrested the day before, July 11, 2017. Why is USAA executive
25 management team impressed by that? They seemed anxious to have their

1 member imprisoned and out of the way. Why? Does it have anything to do with
2 the \$31,000,494.97 taken from Mr. Beane's USAA account? We think so.

3 USAA executive team knows they lied about Randall-Keith:Beane using his
4 social security account number altered by one digit. Perpetrator and conspirator
5 True Brown and USAA Bank executive team know the lie they pushed was for the
6 purpose of creating a crime where there was none. USAA Bank also knows they
7 used the court system and legal process (forfeiture), with the help of their
8 coconspirators, to steal private property (The Randall-Keith:Beane Factualized
9 Trust Motorhome) based on their lie that the social security account number was
10 altered by one digit – knowing they had no legal or lawful claim to said property.

11 The perpetrators and conspirators painted the picture for the grand jury and
12 trial jury that the social security number was something different than the account
13 number. There is little doubt the perpetrators and conspirators knew that to access
14 one's treasury direct depository account you must use your name, Federal Reserve
15 routing number, and your social security account number. The words "account
16 number" have been removed from the newer cards but here's what the original
17 social security account number card looked like:



1 It said “account number” on it because that is what it is – an account. For
2 the purpose of accessing one’s treasury direct depository account the social
3 security account number IS the account number. The perpetrators’ lie that Mr.
4 Beane’s social security account number just happened (by coincidence) to be one
5 digit off from the account number needed to access his treasury direct depository
6 account is beyond ridiculous and dishonest.

7 We understand the True Brown email exculpatory evidence was delivered to
8 Heather-Ann:Tucci:Jarraf **after the trial was over**. It was never delivered to
9 Randall-Keith:Beane. So much for Brady v. Maryland which states material
10 information favorable to the defense in the possession of the prosecution, material
11 to the defendant’s case, must be disclosed to the defense. The fact that the email
12 reveals USAA Bank put in writing the lie about Mr. Beane altering his social
13 security account number by one digit was a material fact.

14 And there’s also the Rules of Professional Conduct, Tennessee Rule 3.8 (d)
15 – Special Responsibilities of a Prosecutor – which says: “shall make timely
16 disclosure to the defense of all evidence or information known to the prosecutor
17 that tends to negate the guilt of the accused.

18 Clearly perpetrators and conspirators Cynthia F. Davidson and Anne-Marie
19 Svolto violated Rule 3.8(d). They did not act as ministers of justice. They acted
20 like coconspirators involved in a sinister plot to illegally and unlawfully kidnap

1 and imprison Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf. This was not a
2 case about justice or the rule of law. There were no rules or law. There was a goal
3 – make false statements and representations to the grand jury and trial jury of
4 material facts to secure an indictment, conviction and imprisonment.

5 The perpetrators and coconspirators made up the crime and they made up the
6 arrest warrants. They made false allegations against Randall-Keith:Beane and
7 Heather-Anne:Tucci:Jarraf. They used the legal system as a weapon to destroy
8 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf.

9 Perpetrators and coconspirators Cynthia F. Davidson and Anne-Marie
10 Svolto did not use the word felony other than on their criminal case cover sheet.

11 .
12 **CRIMINAL CASE COVER SHEET** **U.S. ATTORNEY'S OFFICE**

13 Defendant Name: RANDALL KEITH BEANE

14 Place of Offense (City & County): Knoxville & Knox

15 Juvenile: Yes ___ No X Matter to be Sealed: Yes ___ No X

16 Interpreter: No X Yes ___ Language: _____

17 Total # of Counts: ___ Petty ___ Misdemeanor (Class ___) 7 Felony

	ORIGINAL INDICTMENT U.S.C. Citation(s) and Description of Offense Charged	Count(s)
Set 1	18 U.S.C. § 1343 – Wire Fraud	1 – 5
Set 2	18 U.S.C. § 1344 – Bank Fraud	6
Set 3	18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering	7

CRIMINAL CASE COVER SHEET**U.S. ATTORNEY'S OFFICE**Defendant Name: HEAHTER ANN TUCCI-JARRAFPlace of Offense (City & County): Knoxville & KnoxJuvenile: Yes ☐ No ☒ Matter to be Sealed: Yes ☐ No ☒Interpreter: No ☒ Yes ☐ Language: Total # of Counts: Petty ☐ Misdemeanor (Class) 1 Felony

ORIGINAL INDICTMENT		Count(s)
U.S.C. Citation(s) and Description of Offense Charged		
Set 1	18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering	7

Look real good because this is the only time you'll see the word felony. The word felony and felonious is not used in the indictment. (Att. #37, #71.1 to #71.8) Felony and felonious is not used in the arrest warrants. (Att. #3 and #4) Reference to felony and felonious conduct is not in the grand jury transcript. Felony and felonious is not in the trial transcripts. US Attorney perpetrators and conspirators say they charged Randall-Keth:Beane and Heather-Ann:Tucci:Jarraf with committing felonies and yet felonious conduct is not referred to in the indictment or warrants. It's not mentioned because there was no felonious conduct. There was no injured party. For a crime to exist there must be an injured party. Randall-Keth:Beane and Heather-Ann:Tucci:Jarraf did not commit a crime. The US Attorney perpetrators knew a felony was not committed by Randall-Keth:Beane or Heather-Ann:Tucci:Jarraf and that's why they did not use the word.

DEFINITION

1 “FELONIOUSLY, pleadings. This is a technical word which must be
2 introduced into every indictment for a felony, charging the offence to have
3 been committed feloniously; no other word, nor any circumlocution, will supply
4 its place. (BOUVIER -- A Law Dictionary Adapted to the Constitution and Laws
5 of The United States of America Union by John Bouvier, Revised Sixth Edition,
6 1856, Pg. 764) (Att. #37)

7
8 US Attorney perpetrators and coconspirators Nancy Stallard Harr, Cynthia
9 F. Davidson, and Anne-Marie Svolto used the word “offense” in the indictment
10 (Indictment P. 6, ¶ 19, P. 7, ¶ 21 & ¶ 22) because there was no felonious conduct.
11 Without felonious conduct an offense is a non-indictable TORT! (“offense or
12 fault” has the same meaning as “tort.” – Black’s Law Dictionary - Att. #9.3,
13 Bouvier’s Law Dictionary – Att. #69, #70) What is a tort?

14 **The Essential Law Dictionary, First Edition 2008, P. 500**

15
16 **TORT** - A private injury or wrong; a violation of a socially recognized
17 duty owed to a plaintiff that results in injury to the plaintiff; torts can be caused
18 intentionally, through negligence, or under strict liability.

19 **Black’s Law Dictionary, 4th Edition, P. 1660**

20
21 **TORT** - A private or civil wrong or injury. A wrong independent of
22 contract. A violation of a duty imposed by general law or otherwise upon all
23 persons occupying the relation to each other which is involved in a given
24 transaction. There must always be a violation of some duty owing to plaintiff, and
25 generally such duty must arise by operation of law and not by mere agreement of
26 the parties. Diver v. Miller, Del.Super., 148 A. 291, 293.

27
28 Three elements of every tort action are: Existence of legal duty from defendant to
29 plaintiff, breach of duty, and damage as proximate result. City of Mobile v.
30 McClure, 221 Ala. 51, 127 So. 832, 835.

31
32 A legal wrong committed upon the person or property independent of contract. It
33 may be either (1) a direct invasion of some legal right of the individual; (2) the in-
34 fraction of some public duty by which special damage accrues to the individual; (3)

1 the violation of some private obligation by which like damage accrues to the
2 individual. In the former case, no special damage is necessary to entitle
3 the party to recover. In the two latter cases, such damage is necessary. A violation
4 of a right in rem which plaintiff has as against all persons with whom he comes in
5 contact or the violation of a right which is created by law and not by any act of
6 parties. Mitchell v. Health Culture Co., 349 Mo. 475, 162 S.W.2d 233, 237.

7
8 It didn't go unnoticed that in the grand jury hearing perpetrator and
9 conspirator Cynthia F. Davidson presented five (5) counts to the grand jury for
10 review and consideration. The five counts included bank wire, bank fraud, and
11 money laundering. And yet the jury foreperson signed an indictment that same day
12 with seven (7) counts. Perhaps the two discussed padding the indictment with two
13 additional counts at the water cooler? Or did the grand jury foreperson just sign
14 the indictment without reading it? The fact is five counts were presented to the
15 grand jury -- not seven. There was "evidence" and "witness" testimony for five
16 counts. There was no "evidence" or "witness" testimony presented for the two
17 additional counts. If a prosecutor can just add counts without presenting evidence
18 or testimony then what is the grand jury for? A prosecutor's rubber stamp?

19 Perpetrator and coconspirator Parker Still testified the following to the grand
20 jury:

21 **Parker Still Grand Jury Testimony, P. 45-46, Line 25; 1-6**

22 Q (By Ms. Davidson) And let's, you know, be clear. Not only have
23 you reviewed these records, but, you know, the USAA fraud investigator has
24 reviewed these extensively and relayed all the information that you've previously
25 testified about?

1 A Right. I rely on it --

2 “I rely on it” means he did no independent investigation. Why no
3 investigation? Lazy? Or was it because Randall-Keith:Beane and Heather-
4 Ann:Tucci:Jarraf were targeted? It was not a rule of law prosecution so an
5 investigation was not necessary. It wasn’t even an investigation in search of a
6 crime. They fabricated the crime. They had a target and a goal of imprisonment.
7 You don’t need to investigate when you’ve manufactured the crime.

8 Perpetrator and conspirator Cynthia F. Davidson essentially admits to no
9 investigation to the grand jury:

10 **MS. DAVIDSON:** “...it takes us usually months to investigate these
11 things.” (Grand Jury Transcript, P. 59, Line 22-23)

12 It didn’t take months to investigate this case because they were not searching
13 for truth and facts. It was a manufactured fraud and money laundering case.

14 It’s clear nobody is reviewing what FBI agents, US Attorney prosecutors,
15 district court judges, and appellate judges are up to. Had there been a pre-trial case
16 file audit the disposed of South Carolina arrest warrant and fraudulent Tennessee
17 district court arrest warrants would have been caught. Had there been a post-
18 conviction case file audit the conspiracy and crimes committed by what appears to
19 be a crime syndicate would have been caught.

20 The appellate court – well – that was just corruption. In their opinion they
21 talked about perpetrator and conspirator Parker Still’s false allegation Heather-

1 Ann:Tucci:Jarraf was “planning military operations” to break Randall-Keith:Beane
2 out of jail. Perpetrator and conspirator Parker Still did not offer even a scintilla of
3 evidence that Mrs. Tucci:Jarraf actually said that she planned military operations to
4 break Randall-Keith:Beane out of jail. Perpetrator and conspirator Parker Still just
5 made it up and his coconspirators went with it. They didn’t need evidence. This
6 was not a rule of law prosecution.

7 The appellate court talked about when Randall-Keith:Beane went to bed and
8 when he woke. And they quoted Randall-Keith:Beane and Heather-
9 Ann:Tucci:Jarraf as saying, “I am source of all that is.” So we know the three
10 judges read the file. But a panel of three judges couldn’t bother to review the
11 following facts:

- 12 • The perpetrators and coconspirators used a disposed of statewide (not
13 national or international) South Carolina misdemeanor traffic related bench
14 warrant to attack and arrest Randall-Keith:Beane on July 11, 2017. (Att. #1.2
15 and #2.1)
- 16 • The Tennessee Eastern District Court created fraudulent arrest warrants.
17 (Att. #3, #4, and #10)
- 18 • The FBI lacked jurisdiction in Mr. Beane’s private business transaction.
19 (Att. #15, #16.1, #16.2)
- 20 • Plaintiff United States of America lacked standing. (Att. #25)

- 1 • Plaintiff United States of America is a Delaware corporation. (Att. #67,
2 #68)
- 3 • They did not have a probable cause hearing.
- 4 • Randall-Keith:Beane was forced under threat to waive the detention hearing
5 in violation of due process.
- 6 • The district court lacked subject-matter and personal jurisdiction. (Att. #6,
7 #5, #7, #8, #9.2)
- 8 • The district court was not in compliance with Article III – judicial power.
9 (Att. #27)
- 10 • The district court was not in compliance with court of record requirements -
11 28 U.S. Code § 132. (Att. #8, #9.2)

12 Three appeals court judges and not one of them noticed any of the above-
13 mentioned problems with this case?

14 The Sixth Circuit in one breath said “...whether lawyers or not, have a right
15 to represent themselves” (United States Court of Appeals for the Sixth Circuit
16 Opinion, P. 5, paragraph 4), and in the next breath denied that right. They
17 appointed two traitor attorneys who bashed their own “clients”. They severely
18 criticized Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf when they should
19 have built a strong appeal to have them released. But that’s not what they were

1 hired to do, was it? They had a role to play in the conspiracy and they played it
2 well. All of it part of the plot and conspiracy.

3 The perpetrators and conspirators abruptly snatched Randall-Keith:Beane
4 and Heather-Ann:Tucci:Jarraf out of their lives. They stole the last 3+ years of
5 Randall-Keith:Beane and Heather-Ann:Tucci: Jarraf's life and they must be
6 prosecuted and punished to the fullest extent of the law for their participation in the
7 crimes committed against Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf. It
8 was all done knowingly, intentionally, and deliberately with reckless disregard for
9 the law and Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf's rights. Young
10 children were separated from their mother, and a man separated from his wife,
11 without justification.

12 We are asking that you investigate the crimes we allege have been
13 committed and each of the perpetrators/conspirators' role in the conspiracy and
14 false imprisonment of Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf.

15 Randall-Keith Beane and Heather-Ann:Tucci:Jarraf have not experienced
16 freedom and liberty since July 2017 all based on a fabricated fraud and money
17 laundering offense.

18 **V) The Conspiracy Plot**

19 It was a case in which the FBI and DOJ invented a crime they could charge
20 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf to cover up the theft of

1 \$31,000,494.97 from Mr. Beane's USAA bank account. They set about to change
2 the meaning of words like "money laundering," "affect interstate commerce," and
3 "fraud" to mislead a grand jury and trial jury into indicting and convicting Randall-
4 Keith:Beane and Heather-Ann:Tucci:Jarraf based upon their made-up definition of
5 these key words. They had others join in the conspiracy like judges, clerk, etc.

6 The perpetrators and conspirators did not run or participate in a court of law
7 or justice. It was not an Article III court. It was not a court of record. It was a
8 kangaroo trafficking court designed to steal the freedom and liberty of Randall-
9 Keith:Beane and Heather-Ann:Tucci:Jarraf to silence them.

10 When the perpetrators and conspirators viciously inserted themselves into
11 Mr. Beane's private business transaction it was clearly a moonlighting job at the
12 behest of someone other than the leadership at the FBI and DOJ, right? They
13 certainly were not working in the interest of the American people. Who hired them
14 to attack Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf? We don't know but
15 we suspect they were working for either the New York Federal Reserve Bank,
16 USAA Bank, or both.

17 The perpetrators and conspirators set about on a devious, evil, sinister,
18 vindictive plot and scheme to knowingly, intentionally, and deliberately create a
19 fake felony case, complete with fraudulent arrest warrants, so that they could
20 kidnap, human traffic, and falsely imprison Randall-Keith:Beane, and Heather-

Ann:Tucci:Jarraf with the power and authority of the state. The perpetrators and conspirators showed contempt for the court and total and complete disregard for the legal process. They engaged in fraud, abuse, and corruption perpetrated under the guise of justice.

The visible part of the plot and conspiracy kicked into gear on July 11, 2017 when the FBI decided to arrest Mr. Beane, without jurisdiction, using a South Carolina statewide misdemeanor traffic related bench warrant that was disposed of two years earlier, July 17, 2015, as the predicate for the arrest. (Att. #1.2 and #2.1)

VI) Disposed of South Carolina Statewide Misdemeanor Traffic Related Bench Warrant Used As Predicate for July 11, 2017 Arrest and Aggravated Assault of Mr. Beane (Attachment #1.2, #2.1, #12, #13)

Mr. Beane was exercising his right to travel in the ordinary course of his life and business. On or about October 13, 2014 Randall-Keith:Beane was travelling when Ridgeland South Carolina police officer, Jason Stone, pulled him over. Perpetrator Jason Stone stopped Mr. Beane because he did not have South Carolina state tags. He had American National tags.

Constitutional Amendment XIII says – “...nor involuntary servitude...”

The US Corporation worded it this way so that they could then get Americans to volunteer servitude through the driver's license trickery and deceit. However, Mr. Beane did not submit to voluntary servitude. The fundamental right to locomotion or to travel is NOT a privilege, it is a gift granted by the Maker, and restated by the

1 founding fathers as unalienable. (Att. #58.2) It cannot be taken by any
2 man/government made color of law (codes and statutes).

3 "Personal liberty largely consists of the Right of locomotion -- to go where
4 and when one pleases -- only so far restrained as the Rights of others may make it
5 necessary for the welfare of all other citizens. The Right of the Citizen to travel
6 upon the public highways and to transport his property thereon, by horse drawn
7 carriage, wagon, or automobile, is not a mere privilege which may be permitted or
8 prohibited at will, but the common Right which he has under his Right to life,
9 liberty, and the pursuit of happiness. Under this Constitutional guarantee one may,
10 therefore, under normal conditions, travel at his inclination along the public
11 highways or in public places, and while conducting himself in an orderly and
12 decent manner, neither interfering with nor disturbing another's Rights, he will be
13 protected, not only in his person, but in his safe conduct." II Am.Jur. (1st)
14 Constitutional Law, Sect.329, p.1135.

15 "Personal liberty -- consists of the power of locomotion, of changing
16 situations, of removing one's person to whatever place one's inclination may direct,
17 without imprisonment or restraint unless by due process of law." 1 Blackstone's
18 Commentary 134; Hare, Constitution __.777; Bouvier's Law Dictionary, 1914 ed.,
19 Black's Law Dictionary, 5th ed.

20 Privately owned cars, vans, trucks, and buses not engaged in commerce or

1 for hire transportation are outside the jurisdiction of motor vehicle enforcement.
2 Perpetrator Jason Stone could have written a ticket based on South Carolina color
3 of law code and Mr. Beane could have gone through the normal process to
4 challenge it. An honest cop would have done just that. Instead, perpetrator Jason
5 Stone decided to use his position of trust to teach Mr. Beane a lesson. He called
6 approximately 10 of his comrades and they decided to turn an unlawful traffic stop
7 into aggravated assault, an unlawful arrest, and false imprisonment.

8 Once the gang was all there they beat up Mr. Beane. They tased Mr. Beane.
9 They tried to get Mr. Beane to say he is a "sovereign citizen." Why? What is a
10 sovereign citizen?

11 1) It is an oxymoron used mostly by dishonest judges, law enforcement, and
12 attorneys-at-law (BAR attorneys) to attack Americans as terrorists.

13 **Definition of oxymoron** - a combination of contradictory or incongruous words
14 (such as *cruel kindness*) ([https://www.merriam-](https://www.merriam-webster.com/dictionary/oxymoron)
15 [webster.com/dictionary/oxymoron](https://www.merriam-webster.com/dictionary/oxymoron))

16 2) **Sovereign citizen** is a term used to refer to a political movement which
17 grew out of a belief in government abuses of power. Members often refuse to hold
18 social security cards or driver's licenses and avoid using zip codes. Sovereign
19 citizens believe that U.S. citizens are either "Fourteenth Amendment citizens"
20 (who are subject to the federal and state laws and taxes) or "sovereign citizens",

1 who are subject only to common law or "constitutional law" (or both), but are not
2 bound to obey statutory law. No court has ever upheld these claims. Sovereign
3 citizens may also be referred to as "freemen" or "common law citizens".

4 (<https://definitions.uslegal.com/s/sovereign-citizen/>)

5 What is objectionable or offensive in the uslegal.com definition of sovereign
6 citizen? There is nothing illegal, unlawful, or a show of disloyalty to the country
7 in the uslegal.com definition of "sovereign citizen." Americans have a Patriotic
8 Duty to speak up if they believe the government has run afoul of the law.

9 Perpetrators and coconspirators know that Mr. Beane and Mrs. Tucci-Jarraf
10 have never referred to themselves as sovereign citizens. They understand it is an
11 oxymoron.

12 When some Americans refer to themselves as a sovereign citizen they are
13 referring to the rights of the people. Their thinking is based on the Tennessee
14 Constitution, Declaration of Rights, Article 1 - **Section 1** (Att. #73.1) which says
15 "That all power is inherent in the people, and all free governments are founded on
16 their authority, and instituted for their peace, safety, and happiness;" or Section 2
17 of the Virginia Declaration of Rights which says "**That all power is vested in, and**
18 **consequently derived from, the people; that magistrates are their trustees and**
19 **servants and at all times amenable to them.**" They are saying that those in
20 positions of emolument, in their capacity, are "agents" or "servants" of the people.

1 They have authority given by the people and are the ones subject to the codes and
2 statutes. In performing duties and functions they are to conform to fundamental
3 law, rights, and common law concepts such as due process and the other things
4 prescribed in the Constitution.

5 The Constitution was ordained and established by the people for the
6 government. It is a contract between the people and the government, The
7 government was created by the people. The people are over the government—not
8 the other way around. God is over man. Man is over government. The people’s
9 sovereignty comes from the Creator. This is what Americans who call themselves
10 “sovereign citizens” mean and the deceitful and dishonest perpetrators and
11 conspirators know it.

12 Traitors within the people’s government have bastardized the word
13 sovereign for the purpose of attacking the American people. In their despicable,
14 treasonous, traitor stupidity they coined the term “sovereign citizen,” spread it to
15 the trusting people and then turned on the people by defining “sovereign citizen” as
16 a terrorist. They continue to use the oxymoron to disparage and attack those they
17 target. The “sovereign citizen” attack was used in the South Carolina traffic case
18 by the corrupt officers that unlawfully detained Mr. Beane, and in United States of
19 America v. Randall Keith Beane and Heather Ann Tucci Jarraf by the corrupt US
20 Attorneys and magistrate judge.

Freedom to travel is, indeed, an important aspect of an American's liberty. The right to travel is a part of the "liberty" of which Americans cannot be deprived without due process of law. Among the corrupt and unpatriotic there is a belief the American people have no rights and this is why they deprive rights in violation of 18 U.S. Code § 241 – conspiracy against rights and 18 U.S. Code § 242 - deprivation of rights under color of law (Att. #38 and #39).

Perpetrator Jason Stone did not have a warrant to arrest Randall-Keith:Beane. The Supreme Court of Wisconsin said that "it is a serious thing to arrest a citizen, and it is a more serious thing to search his person" and it must be done "in conformity to the laws of the land." Regarding the law on arrests it held: At common law arrests for misdemeanors were not permissible without a warrant except for acts committed in the presence of the officer **causing** a breach of the peace. (Allen v. State, 183 Wis. 323, 197 N.W. 808, 810, 811 (1924)) There was no breach of the peace. Perpetrator Jason Stone had no lawful authority to stop, detain and arrest Randall-Keith:Beane without a warrant for what he called a misdemeanor. Mr. Beane was travelling minding his own business. What is the law of the land? The Constitution.

US Constitution -- Article VI

"The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and **all executive and judicial Officers**, both of the

1 United States and of the several States, shall be bound by Oath or Affirmation, to
2 support this Constitution...”

3 **US Constitution – Amendment X**

4 “The powers not delegated to the United States by the Constitution and prohibited
5 by it to the States, are reserved to the States respectively, or to the people.”

6
7 All of the rights of the People are not enumerated in the Constitution
8 because there is no limit to the God given rights of the people.

9 **US Constitution – 14th Amendment – Section 3**

10 “**No person shall** be a Senator or Representative in Congress, or elector of
11 President and Vice President, or **hold any office**, civil or military, **under the**
12 **United States, or under any State, who, having previously taken an oath**, as a
13 member of Congress, or **as an officer of the United States**, or as a member of any
14 State legislature, **or** as an executive or judicial officer **of any State, to support the**
15 **Constitution of the United States, shall have engaged in** insurrection or
16 **rebellion against the same**, or given **aid or comfort to the enemies** thereof.”

17
18 In his fake South Carolina affidavit Officer Stone alleged “Randall Keith
19 Beane did knowingly and willfully oppose **and/or** resist the lawful arrest by a law
20 enforcement officer,” **OR** “the defendant did knowingly and willfully assault, beat
21 **AND/OR** wound a law enforcement officer while resisting arrest.” “Defendant
22 was stopped by Ridgeland Police for a traffic violation.” (Att. #1.1) You’ll notice

1 Officer Stone did not swear under penalty of perjury in his affidavit thereby
2 rendering it meaningless and worthless.

3 The arrest was not lawful because perpetrator Stone did not have a lawful
4 valid arrest warrant when he interrupted Mr. Beane's travel. Perpetrator Jason
5 Stone couldn't seem to decide what exactly occurred. He accused Randall-
6 Keith:Beane of doing one thing OR something else. The affidavit is written that
7 way because it is not truthful. It is a means of trying to get around perjury. It
8 looks like perpetrator Stone is accusing Randall-Keth:Beane of something but he's
9 really not accusing him of anything at all. Maybe he did this—OR maybe he did
10 that—all means he did nothing at all. The affidavit is likely boilerplate language
11 not intended to describe an actual incident, but rather used in their human
12 trafficking courts to railroad Americans.

13 What officer Stone doesn't say in his boilerplate fake affidavit is many of his
14 comrades were at the scene with him. They threatened to break the glass window
15 to Randall-Keth:Beane's truck. They roughed-up and tased Randall-Keth:Beane.
16 There were approximately 13 police officers dispatched armed with tasers, guns,
17 batons, and handcuffs – and one unarmed middle-age 160 lb. man who was
18 traveling and minding his own business before they encroached upon his liberty –
19 committed aggravated assault and illegally detained and jailed him. Perpetrator

1 Stone and his comrades clearly felt like flexing their muscles that day and
2 unfortunately Randall-Keith:Beane landed in their crosshairs.

3 In his fake affidavit you'll notice Officer Stone does not explain what the
4 traffic violation was. He doesn't reveal they tased Randall-Keith:Beane and feared
5 they had given him a heart attack.

6 Randall-Keith:Beane was not served with the South Carolina traffic-related
7 bench warrant. He says he had no knowledge of the case so how could he show up
8 in court to dispute perpetrator Stone's false story? The truth of the matter is the
9 majority of individuals arrested were unaware of a warrant because they are
10 intentionally not properly notified as a law enforcement technique to catch you off
11 guard. They're not interested in allowing you to prepare to present yourself
12 against whatever lies the crooked ones may tell. In addition, the bench warrant
13 says "**THE STATE** VS. Randal Keith Beane." (Att. #1.2) What state? If it were
14 a lawful bench warrant it would have the exact name of the state in all places on
15 the warrant.

16 The Solicitor (Disposition Judge) likely understood Officer Stone's
17 allegation was hogwash so he disposed of the case July 17, 2015. (Att. #2.1) The
18 disposition status is "failure to appear" but there's no proof Mr. Beane was
19 lawfully served a summons to appear.

1 The Tennessee perpetrators and conspirators decided to use the disposed of
2 South Carolina statewide misdemeanor traffic related bench warrant to jump start
3 the Tennessee conspiracy and arrest Randall-Keith:Beane.

4 Here's what coconspirators Parker Still and Jaron Patterson said:

5 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
6 **Still – Trial Transcript, Volume I, Pg. 66, Line 15; 18-20; 24-25)**

7 A I think it (warrant) was out of South Carolina.”

8 Q But on July 11th, you had never seen it, you just had information that your
9 office had information that an outstanding warrant existed.

10 A So me personally, **I did not – I was relying on information that was**
11 **provided to me.**”

12 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
13 **Still – Trial Transcript, Volume I, Pg. 68, line 19-23**

14 Q Did you personally confirm the existence of an outstanding state warrant that
15 you now know to be from South Carolina?

16 A No, ma'am. I did not. I have seen it, though, since that date. I have seen a
17 copy of that warrant, yes, ma'am.

18 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
19 **Still – Trial Transcript, Volume I, Pg. 69, line 8-17**

20 Q Okay. On July 11th, prior to or at any moment, did you ever present a
21 warrant to Mr. Beane or the other unidentified male and unidentified female that
22 you found in that vehicle? Did you ever present an actual paper warrant or
23 electronic warrant to any of those three?

24 A **No, ma'am.** And I – I don't – I mean, that's – I think **that's** some of **TV**
25 **stuff** where we serve people, put a warrant in their hands. You know, that's – I
26 don't – that's just not general practice where you would, you know, serve someone
27 – hand someone a warrant, generally,”

1 **Cynthia Davidson Redirect Examination of FBI Special Agent Parker Still –**
2 **Trial Transcript, Volume I, Pg. 81, line 1-7**

3 Q So – and was there an arrest warrant by the State of South Carolina for Mr.
4 Beane?

5 A Yes, ma'am. I mean, at the scene – that's what I was saying. Knox County,
6 it's my understanding, when they took him – he did not go into federal custody at
7 the time. He went into state custody, that Knox County does those verifications is
8 my understanding."

9 **Heather-Ann:Tucci:Jarraf Cross-Examination of Jaron Patterson [Univ. of**
10 **Tennessee Police Dept. and FBI Cyber Task Force Investigator] – Trial**
11 **Transcript, Volume II Pg. 140-142, line 21-25; 1-3; 8-12**

12 Q Is there any reason why you guys didn't pull a copy of that alleged active
13 outstanding warrant?

14 A That's not very common to take a copy.

15 Q So it's not common to take a copy or to have a warrant to show someone
16 that you are arresting?

17 A The original copy would have been with the issuing agency, so it was an out-
18 of-state warrant. The original copy would have been in another state."

19 Q **So you're not sure if it was ever -- truly existed?**

20 A **No.**

21 Q Other than relying on the statement of a fellow FBI agent?

22 A Correct.

23 Perpetrator and conspirator Jaron Patterson knew the warrant did not exist
24 just like all the other perpetrators and conspirators. They all knew. It's public
25 record. (Att. #2.1) On the left side of the public index it says disposition date
26 07/17/2015.

<https://www.sccourts.org/caseSearch/>

Jasper County Home Page South Carolina Judicial Department Home Page SC.GOV Home Page

Switch View

The State of South Carolina VS Randal Keith Beane					
Case Number:	2014A2720200234	Court Agency:	General Sessions	Filed Date:	10/14/2014
Case Type:	Criminal-Clerk	Case Sub Type:			
Status:	Failure to Appear	Assigned Judge:	Clerk Of Court C P, G S, And Family Court	Disposition Judge:	Solicitor
Disposition:	Failure to Appear				
Disposition Date:	07/17/2015	Date Received:	10/14/2014	Arrest Date:	10/13/2014
Law Enf. Case:	14-907	True Bill Date:	11/20/2014	No Bill Date:	
Prosecutor Case:		Indictment Number:	2014GS2700554	Waiver Date:	
Probation Case:					

Case Parties Charges Sentencing Associated Cases Actions Financials Bonds

Summary					
Fine/Costs:	\$130.00	Total Paid for fine/costs:	\$0.00	Balance Due:	\$130.00

DEFINITION:

disposition. N. (2) The settlement of a matter; **a judge's final ruling.** (The

Essential Law Dictionary, First Edition, 2008, P. 143)

dispose of. V. (2) To settle a matter finally. (The Essential Law Dictionary,

First Edition, 2008, P. 143)

dispose of. To exercise finally, in any manner, one's power of control over;

or get rid of; to finish with; (Black's Law Dictionary, 4th Edition, P. 557)

There is absolutely no doubt perpetrators and conspirators Cynthia Davidson

and Parker Still knew there was no active South Carolina warrant (or any other

warrant) for Mr. Beane. It was their job to know. They all knew they were lying

to and misleading the grand jury and trial jury. They knew there was no active

1 outstanding South Carolina bench warrant. They knew the bench warrant they
2 referenced had been disposed of two years earlier. They also knew it was
3 STATEWIDE. It gave absolutely no jurisdiction to Tennessee or any other state.

4 Here are some of the lies regarding the South Carolina warrant from the
5 Grand Jury Transcript and Trial Transcript:

6 **Grand Jury Transcript, P. 21, Line 1-5: (Cynthia Davidson Direct**
7 **Examination of Parker Still)** (Att. #29.3)

8
9 Q And Since Mr. Beane was arrested by the FBI; is that correct?

10
11 A He was arrested. Just to clarify, he was arrested by us on – he had an
12 outstanding warrant on a state charge.

13
14 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
15 **Still – Trial Transcript, Volume I, Pg. 66-67, line 18-25; 1-17**

16 Q But on July 11th, you had never seen it, you just had information that your
17 office had information that an outstanding warrant existed. Did you confirm at
18 least with a database, NCIC or anything else that there was actually an outstanding
19 state warrant?

20
21 A So me personally, I did not -- I was relying on information that was provided
22 to me. You know, it's -- we work as a team. I mean, it's -- you know, there's
23 moving parts. I'm doing the affidavit. Somebody else would be looking to see
24 about the warrant, you know, providing that information to us. I mean, it is a team
25 effort. Not one person can sit here and do all the different jobs. So I'm not the
26 person who made any confirmation of that warrant. But I would say this too. It's
27 my understanding that at the scene also, the warrant was also confirmed by
28 **Knox – I believe it was the Knox County Sheriff's Department.**

29
30 Q I'm just asking, because in the plethora of discovery that was provided to us,
31 **not once was there any report by you, a 302,** or by any other member supposedly
32 working on this case regarding -- excuse me, **with an actual copy of the South**

1 Carolina -- the alleged South Carolina outstanding warrant, no NCIC, no actual
2 NCIC from that date or anything else showing there was an outstanding South
3 Carolina warrant. You stated you had not even confirmed --

4
5 Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker
6 Still – Trial Transcript, Volume I, Pg. 68, line 17-25

7 Q Okay. Because it is important to know that you have the tools you need to do
8 your job. Okay. **Did you personally confirm the existence of an outstanding**
9 **state warrant that you now know to be from South Carolina?**

10
11 A No, ma'am. I did not. I have seen it, though, since that date. I have seen
12 a copy of that warrant, yes, ma'am. And it was exactly right. I mean, he was --
13 Knox County confirmed it at the scene. It's my understanding he was taken to jail.

14
15 Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker
16 Still – Trial Transcript, Volume I, Pg. 69, line 2-7

17 Q Did you ever provide a copy of that alleged South Carolina outstanding
18 warrant to Ms. Davidson or anyone on the -- at the DOJ?

19
20 A You know, I would have to look back on it. What we normally do is we turn
21 our file -- our discovery file over to the prosecutors.

22
23 Cynthia Davidson Redirect Examination of FBI Special Agent Parker Still –
24 Trial Transcript, Volume I, Pg. 82, line 2-9

25 Q Is that your understanding? And Ms. Tucci:Jarraf asked you about NCIC
26 reports. It's not the practice of the FBI to give codefendants each other's NCI
27 reports. Is it?

28
29 A I could not imagine why we would give NCI reports because of the personal
30 identifiers on those reports.

31
32 Q So Ms. Tucci:Jarraf doesn't have Mr. Beane's NCIC doesn't mean that
33 there's not a warrant on his NCIC, does it?

34
35 A Right. No, ma'am. That would not mean that.

1 Perpetrator and coconspirator Cynthia Davidson demonstrates her skill in
2 concealing material information from the jury. Mrs. Tucci:Jarraf stated she did not
3 receive “an actual copy of the South Carolina -- the alleged South Carolina
4 outstanding warrant, no NCIC, not actual NCIC from that date or anything else
5 showing there was an outstanding South Carolina warrant.” (Trial Transcript,
6 Volume I, Pg. 67, Line 13-16) Mrs. Tucci:Jarraf did not ask for Mr. Beane’s
7 NCIC report—she asked for proof of an active/outstanding South Carolina warrant.
8 The perpetrators and conspirators didn’t give it to Mrs. Tucci:Jarraf because it
9 didn’t exist. They made it up to mislead the grand jury to secure an indictment and
10 to mislead the trial jury to secure a conviction.

11 The perpetrators and coconspirators lied to the grand jury and the trial jury.
12 They all knew the South Carolina Solicitor/Disposition Judge disposed of the
13 South Carolina statewide misdemeanor traffic case July 17, 2015. (Att. #2.1)
14 They all knew there was no active warrant. The perpetrators knowingly and
15 intentionally concealed the NCIC information because they knew there was no
16 South Carolina or other active warrant for Mr. Beane.

17 They used their FBI and Knoxville Sheriff badge and government issued
18 weapon to:

- 19 • Trespass on private property, physically drag Mr. Beane out of the
20 private property, and commit aggravated assault by elbowing Mr.

1 Beane in the head until he bled, twisted his arm, gave him a black eye,
2 bruised his body, and strangled him until he cried out “**I can’t**
3 **breathe.**”

- 4 • Publicly humiliate Mr. Beane by pulling down his shorts and making
5 him stand for 45 minutes hand cuffed in the summer heat with his
6 underwear exposed, for all the world to see.
- 7 • Kidnap Mr. Beane and falsely imprison him;
- 8 • Steal private property. They did not have a seizure warrant.

9 The perpetrators and coconspirators did all this to Mr. Beane based on a
10 LIE—a South Carolina outstanding warrant LIE.

11 Perpetrator and coconspirator Parker Still stated he saw the South Carolina
12 statewide misdemeanor traffic related bench warrant so he without a doubt knew:

13 (1) The misdemeanor traffic related bench warrant was issued April 17,
14 2015, and it was disposed of 7/17/2015, and

15 (2) It was not a national or international warrant – it was a statewide South
16 Carolina warrant. The misdemeanor traffic related bench warrant was addressed to
17 “all and Singular the Sheriffs Deputy Sheriffs Constables and other Peace Officers
18 of the said State Greetings.” (Att. #1.2)

1 Perpetrator and coconspirator Jaron Patterson (Univ. of Tennessee Police
2 Dept. and FBI Cyber Task Force Investigator) stated he didn't know if the South
3 Carolina traffic related bench warrant existed. (Trial Transcript, Volume II, Pg.
4 142, Line 8-9) He knew it didn't exist. It was his job to know.

5 All the perpetrators had a responsibility to examine the South Carolina
6 statewide misdemeanor traffic related bench warrant to make sure they were
7 operating within the law. But this was a conspiracy so there was no concern about
8 operating within the law. The concern was reaching the conspiracy goal –
9 imprisonment! Here's more testimony regarding NCIC and the disposed of South
10 Carolina traffic related bench warrant.

11 **Heather-Ann:Tucci:Jarraf Direct Examination of Parker Still, Trial**
12 **Transcript Volume VII, P. 53-56, Line 25; 1-25; 1-25; 1-13 - NCIC and the**
13 **South Carolina Warrant**

14
15 Q Agent Still, I just had a couple questions for you regarding the NCIC
16 exhibits, and I'll read them off to you and then just ask you a few questions. Okay.
17 To begin with, on Defendants' Exhibit 7 and you had stated that your office had a
18 warrant -- or had information of a warrant in South Carolina. Correct?

19
20 A Yes, ma'am. That's -- that was the information that was provided to me, yes,
21 ma'am.

22
23 Q And that would be on July 10th?

24
25 A I believe it was July 11th, the morning of July 11th, yes, ma'am.

26
27 Q The morning of July 11th. And did you do an NCIC search to be able to
28 confirm that -- or excuse me, are you aware if your office had done an NCIC
29 search to confirm that?

1 A The way that it normally would be done, yes, ma'am, would be -- the office
2 would do -- they have the ability there to do an NCIC check, yes, ma'am.

3
4 Q Do you have the ability to do an NCIC check?

5
6 A No, ma'am. The only ability I have would be to contact what we call
7 upstairs, which is kind of our control room or radio room, if you will. And I could
8 say, you know, "Can I get an NCIC check on this individual or that individual," uh-
9 huh, yes, ma'am.

10
11 Q Okay. So those that are upstairs, they're the ones that have the authorization
12 to enter into the NCIC?

13
14 A I don't know about enter into the NCIC, all I know is they're the ones who
15 we call to get a check done, yes, ma'am.

16
17 Q Okay. And then Exhibit 165, please, David. Okay. This is Government's
18 Exhibit 165, Agent Still. And this is the South Carolina -- excuse me, yeah, South
19 Carolina warrant. Correct?

20
21 A Yes, ma'am. That's the South Carolina warrant.

22
23 Q Okay. And can you please tell me approximately when you recall seeing
24 this warrant?

25
26 A I believe this warrant was e-mailed to me on -- by Jasper County on either
27 the 11th or the 12th of July. I believe that's the first time I actually saw the -- this
28 warrant, this actual one you're speaking of, a physical copy.

29
30 Q Okay. A physical copy. And did you send that copy or that fax of that South
31 Carolina warrant over to Knox County sheriffs?

32
33 A No, ma'am. I believe -- I believe the one that I had was an e-mail -- I believe
34 they e-mailed it to me.

35
36 Q They e-mailed it?

37
38 A Yes, ma'am.

1 Q Okay. And to the best of your knowledge, has anyone in the FBI gone in
2 and entered information regarding Mr. Beane in the NCIC?

3
4 A No, ma'am, not to my knowledge. Again, though, I don't know who enters
5 NCIC. I would want to clarify too. If I remember right, from our file, I had two
6 copies, one was this e-mail of the warrant, and then I think they also faxed me a
7 copy later on, maybe in August.

8
9 Q In August?

10
11 A Yes, ma'am.

12
13 Q Okay. So then to the best of your knowledge, approximately July 12th or
14 July 13th was the first time that you had ever seen that South Carolina warrant?

15
16 A It could have been the afternoon of the 11th. There was an e-mail from
17 them, yes, ma'am. An e-mail from them either July 11th to July 12th, to the best of
18 my knowledge.

19
20 Q Okay. Did you provide the Department of Justice, Ms. Davidson, with a
21 copy of that e-mail?

22
23 A I think so, yes, ma'am.

24
25 **VII) (A) Private Property Trespass – (B) Aggravated Assault During**
26 **Arrest Causing Serious Bodily Injury – (C) Public Humiliation – (D)**
27 **Felony Kidnapping**

28
29 **(A) Private Property Trespass**

30
31 Mr. Beane has the Right to hold and own property without trespass.

32 As you read the trial testimony below you will see the perpetrators and

33 conspirators did not have permission or consent to enter the private property

34 motorhome without a warrant. The perpetrators and conspirators entered in

1 violation of Tennessee Criminal trespass code 39-14-405 (a) A person commits
2 criminal trespass if the person enters or remains on property, or any portion of
3 property, without the consent of the owner (Att. #50), and 25 CFR § 11.411 -
4 Criminal trespass (a) A person commits an offense if, knowing that he or she is not
5 licensed or privileged to do so, he or she enters or surreptitiously remains in any
6 building or occupied structure. (Att. #47)

7 Perpetrator and conspirator Anne-Marie Svolto used the disposed of South
8 Carolina statewide misdemeanor traffic related bench warrant as “Government
9 Exhibit 165.” She pointed out the bench warrant issue date – April 17, 2015, but
10 she was strangely mum on the disposition date of 7/17/2015. For some reason
11 perpetrator and coconspirator Ann-Marie Svolto didn’t see fit to let everyone in the
12 courtroom know the secret she knew – the South Carolina statewide traffic related
13 bench warrant was DISPOSED OF TWO (2) YEARS EARLIER and it was a
14 STATEWIDE warrant. There was no active or outstanding warrant to arrest Mr.
15 Beane AND SHE KNEW IT! All the perpetrators and conspirators knew it!

16 In fact, perpetrator and coconspirator Terry Wilshire of the Knoxville
17 County Sheriff Office admitted under oath that they held Randall-Keith:Beane
18 until they could find an arrest warrant somewhere. What they found was a South
19 Carolina statewide misdemeanor traffic related bench warrant that was disposed of
20 two years earlier and that was good enough for them. They used it!

1 **Randall-Keith:Beane Cross Examination of Terry Wilshire Trial Transcript,**
2 **Volume VII, P. 29-30, Line 20-25; 1-18**

3
4 Trial excerpt:

5 Q Mr. Wilshire, were you present during the arrest?

6
7 A No, I was not.

8
9 Q Were you present at any time during the paperwork process to observe
10 whether or not any documents were actually presented to me to sign?

11
12 A I was not present when you came in, no.

13 Q **Is it common practice** in Knox County to – when someone is arrested
14 without a warrant **to hold them until you find a warrant?**

15
16 A Till you find a warrant -- rephrase that, please.

17
18 Q Is it common practice in Knox County to hold someone when they're
19 arrested without a warrant till you find a warrant?

20
21 A No. If there's no charge, it wouldn't be common to hold someone with a
22 charge. In this case, **there was an outstanding warrant in another agency that**
23 **was confirmed by NCIC**, that someone was wanted. So an FFJ warrant, or
24 fugitive from justice warrant, had to be done, completed.

25
26 Q Are you aware I was arrested on the 11th?

27
28 A Yes.

29
30 Q So I was held for a day without a warrant?

31
32 A **You were held until they found out who you were and identified you**
33 **and found the warrant that was needed to be done.**

34
35 Why would they arrest Mr. Beane if they didn't know who he was? Terry
36 Wilshire's testimony showed a complete disregard for the rule of law and was a
37 clear indication of his knowing participation in the conspiracy.

1 It is appalling to read perpetrator and coconspirator Anne-Marie Svolto's
2 cross-examination below knowing that she knew at the time that she was
3 misleading the court, the jury, and those in the gallery regarding the South Carolina
4 warrant:

5
6 **Anne-Marie Svolto Cross-Examination of Randall-Keith:Beane, Trial**
7 **Transcript Volume IV, P. 227, Line 13-19**
8

9 Q Okay. And so FBI comes and you don't want to open the door, do you?

10
11 A I'm on the telephone.

12
13 Q So you can't open the door when you're on the telephone?

14
15 A Not when I'm in the middle of discussing something and I don't understand
16 what's going on outside the door.

17
18 **Anne-Marie Svolto Cross-Examination of Randall-Keith:Beane, Trial**
19 **Transcript Volume IV, P. 228, Line 16-25**
20

21 Q So you're being told there's a warrant for your arrest. You disagree that
22 there's a warrant?

23
24 A Yes, I do.

25
26 Q You disagree there's a warrant in general or just a warrant out of Colorado?

27
28 A **I disagree there's a warrant in general.**

29
30 Q So you think there was no warrant for your arrest?

31
32 A Yes, ma'am.

33
34 Q I'd like to show you, **the witness and defense only**, (In other words—they
35 don't want anybody else to look because you might notice it's a statewide bench
36 warrant – not a national or international warrant.) What's now been marked as --
37 oh, they're not in the system, but

38
39 **Anne-Marie Svolto Cross-Examination of Randall-Keith:Beane, Trial**
40 **Transcript Volume IV, P. 229, Line 2-6; 15-20; 24-25**

1 Q This will be **Government Exhibit 165**. Do you see that document?

2
3 A Yes, I see that.

4
5 Q Okay. All right. So you see that there?

6
7 A Yes.

8
9 Q Can you **read the top** of that, please?

10
11 A "State of South Carolina, County of Jasper, Bench Warrant, failure to
12 appear, the State versus Randal Keith Beane."

13
14 Q All right. If we could **scroll down to the bottom** of the page, right under
15 the word "Witness."

16
17 A April 17th, 2015.

18
19 Q So you would agree with me that this is a warrant. Correct?

20
21 **Anne-Marie Svolto Cross-Examination of Randall-Keith:Beane, Trial**
22 **Transcript Volume IV, P. 230-231, Line 12-25; 1-3**

23
24 Q All right. So you were told you had a warrant out for your arrest, and your
25 testimony just now is that there was no warrant for you?

26
27 A Correct.

28
29 Q All right. So this warrant, which, again, **I'll refer to the date at the bottom**
30 **there, April 17, 2015.**

31
32 A Correct.

33
34 Q You're saying that this warrant doesn't exist?

35
36 A It didn't until the 10th of July or -- it was -- actually, let me rephrase it. It
37 didn't until the 13th of July.

38
39 Q Okay. So the date on there is fabricated. Is that your testimony?

1 A Could be. I don't know. But **it didn't exist until July 13th of 2017.**

2
3 Q Is that because you hadn't seen a paper copy of it?

4
5 A **Never seen anything.**

6
7 **Anne-Marie Svolto Cross-Examination of Randall-Keth:Beane, Trial**
8 **Transcript Volume V, P. 13-14, line 13-25; 1-5**

9
10 Q All right. So you're upset at the Wegners right now, aren't you?

11
12 A. Only at Alex.

13
14 Q. Only at Alex.

15
16 A. Yes.

17
18 Q. Is that because he opened the door to the RV when the FBI arrived?

19
20 A. Yes.

21
22 Q. And so you were mad at him for opening the door to the RV?

23
24 A. Yes.

25
26 Q. Because you had told him not to open the door; isn't that correct?

27
28 A. I didn't say anything about opening the door.

29
30 Q. But you didn't think he should have opened the door?

31
32 A. **Not without a warrant.** (Att. #34.2 and #34.3)

33
34 Without a valid warrant entry onto the private property motorhome was
35
36 criminal trespass. The Wegners were invited guests. Unbeknownst to Mr. Beane,
37 they possibly were cooperating with the FBI and US Attorney frame up. Alex
38 Wegner opening the door **was NOT owner consent.**

1 Perpetrator and conspirator Anne-Marie Svolto focused attention to the top
2 of the South Carolina statewide traffic related bench warrant and the bottom of the
3 bench warrant. She steered everyone away from the middle of the warrant. What
4 a slickster! The likely reason was the warrant, when it was active, was only good
5 inside the state of South Carolina. Here's what the middle of the warrant says:
6 **"To all and Singular the Sheriffs Deputy Sheriffs Constables and other Peace**
7 **Officers of the Said State Greetings:"** (Att. #1.2)

8 Perpetrator and conspirator Anne-Marie Svolto knew it was a disposed of
9 statewide traffic related bench warrant. She was quiet on the South Carolina
10 Public Index which shows the disposition date of 7/17/2015. She was careful to
11 just talk about the top and bottom of the bench warrant while the middle held
12 extremely important information. Here are some of her top/bottom references:

13 Q Can you **read the top** of that, please? (Trial Transcript Volume IV, P. 229,
14 Line 15)

15
16 Q All right. If we could **scroll down to the bottom** of the page, right under the
17 word "Witness." (Trial Transcript Volume IV, P. 229, Line 19-20)

18
19 Q All right. So this warrant, which, again, **I'll refer to the date at the bottom**
20 **there**, April 17, 2015. (Trial Transcript Volume IV, P. 230, Line 16-17)

21
22 Again, she knew it was a statewide traffic related bench warrant. She knew
23 the warrant was disposed of July 17, 2015 – two years earlier. And she knew her
24 coconspirators were guilty of criminal trespass, unlawful arrest, unlawful
25 detention, and false imprisonment. Of course she didn't utter a word because she
26 was in on the conspiracy. Here's Mr. Beane's testimony regarding the South
27 Carolina warrant::

28

1 **Heather-Ann:Tucci:Jarraf Cross Examination of Randall-Keth:Beane, Trial**
2 **Transcript Volume V, P 111-112, Line 17-25, 1-8** (Att. #34.9 and #34.10)

3
4 Q. Did you ask to see the warrant?

5
6 A. Yes.

7
8 Q. Did they produce a warrant --

9
10 A. No.

11
12 Q. -- that day?

13
14 A. No.

15
16 Q. Did they identify themselves?

17
18 A. No.

19
20 Q. Did they say what agency they worked for?

21 A. No, nothing.

22
23 Q. Did they give you -- nothing?

24
25 A. Nothing.

26
27 Q. Did they at least tell you why you were arrested?

28
29 A. No, nothing; nothing. They didn't say anything to me. Other than the fact
30 that Colorado -- I was a fugitive of Colorado.

31
32 According to Tennessee Code Title 39 -- 39-14-405. Criminal

33
34 trespass. (Att. #50) (a) A person commits criminal trespass if the person enters

35
36 or remains on property, or any portion of property, without the consent of the

37
38 owner. Tennessee Code Title 39 -- 39-11-614. Protection of property. (Att. #51)

1 (a) A person in lawful possession of real or personal property is justified in
2 threatening or using force against another, when and to the degree it is reasonably
3 believed the force is immediately necessary to prevent or terminate the other's
4 trespass on the land or unlawful interference with the property.

5 (b) A person who has been unlawfully dispossessed of real or personal property
6 is justified in threatening or using force against the other, when and to the degree it
7 is reasonably believed the force is immediately necessary to reenter the land or
8 recover the property.

9 (B) **Aggravated Assault During Arrest Causing Serious Bodily Injury**
10

11 On or about July 11, 2017 Randall-Keith: Beane was completing a private
12 business transaction at Buddy Gregg RVs & Motor Homes when the vicious sneak
13 attack occurred. They all purposefully allowed their fellow officers to physically
14 assault Mr. Beane and violate his rights. They all failed to intervene to stop the
15 attack. They either participated or watched and chose to do nothing when they
16 could have done something to stop the physical assault and injuries to Mr. Beane.

17 Buddy Gregg RVs & Motor Homes was in on the sneak attack. They were
18 threatened by the FBI gang of thugs that they would be charged with "obstruction
19 of justice" if they did not cooperate. Here's what the general Sales manager Jerald
20 Byrne said in trial testimony:

1 **Randall-Keith:Beane Cross-Examination of Jerald Byrne [Buddy Gregg RVs**
2 **& Motor Homes General Sales Manager] Trial Transcript Volume III, P. 103,**
3 **Line 5-14** (Att. #32.2)
4

5 Q Okay. Who convinced you -- at some point, you said that you felt comfortable
6 with me as a customer, and you wanted to protect me as a customer. Who
7 convinced you otherwise to let you believe that I had committed a crime to the
8 point where you allowed the FBI on the property to ambush me, basically?
9

10 A Well, it wasn't a convincing of anything. **It's called obstruction of justice.**
11 I'm not going to get involved. My main goal is to keep our customers satisfied and
12 safe. Okay. **When someone above my authority comes in on that property,** I
13 don't get involved until the dust settles.
14

15 Mr. Byrne was likely paralyzed in fear and bullied into cooperating. But it
16 doesn't change the fact he violated Mr. Beane's rights.

17 **Heather-Ann:Tucci:Jarraf Cross-Examination of Randall-Keith:Beane, Trial**
18 **Transcript Volume 5, P. 105-106, Lines 19-25; 1-25** (Att. #34.4 and #34.5)
19

20 A So I sat down in the coach and was waiting for it to cool off, and here comes
21 this car pull up in front of the coach blocking it in. And all these fellows get out
22 and run -- come to the door telling me to open the door. And then Alex opens the
23 door and lets them in, and they're coming in telling me I'm under arrest; I'm a
24 fugitive out of Colorado, and I'm trying to tell them I've never been to Colorado.
25 Well, **they grab me and pulled me outside the coach and start beating me and**
26 **throwing me on the ground. One of them has got his foot on my head and**
27 **telling me to -- I'm telling him, "I can't breathe."** And he's saying,
28 "You're going to have to breathe." Well, **when I did breathe, my mouth was**
29 **stuck full of dirt and grass because he had my head so far down in the grass,** I
30 couldn't do anything.
31

32 Q If you can -- is that officer here in this room right now?
33

34 A I didn't -- at that point, I think -- I don't see him now. He was in here. This
35 gentleman here known as **Mr. Pack** who I've pointed to several times, and then
36 **Mr. Parker Still.**
37

1 Q Uh-huh.

2

3 A. There was a **lady who was pregnant** and then the bald-headed guy. I don't
4 remember his name. **Jimmy Duran** or something like that.

5

6 Q Okay.

7

8 A I think Mr. Duran was the one that was manhandling me the most."

9

10 Heather-Ann:Tucci:Jarraf Cross-Examination of Randall-Keith:Beane, Trial
11 Transcript Volume V, P. 113, line 19-22

12

13 Q Okay. So at the RV where you were, there was approximately nine officers
14 and only one was in uniform?

15

16 A Only one.

17

18 Heather-Ann:Tucci:Jarraf Cross-Examination of Randall-Keith:Beane, Trial
19 Transcript Volume V, P. 112-113, line 25; 1-6

20

21 A There were several officers walking around. I don't recall who they were or
22 know who they were.

23

24 Q Were any of them in uniforms?

25

26 A **Only one.** There was a Knox County Sheriff there with a dog. When they
27 had me on the ground, they had the dog with his -- he was wanting to bite me. He
28 had -- he was growling at my head.

29

30 Heather-Ann:Tucci:Jarraf Cross-Examination of Randall-Keith:Beane, Trial
31 Transcript Volume V, P. 110, line 8-24

32

33 Q Did you refuse the medical attention?

34

35 A Yes, I did.

36

37 Q Okay. After that, did they put you into a patrol car?

38

39 A No, at that point, they -- they pulled my pants down around my waist and
40 made me stand there in handcuffs. And there were people everywhere, just

1 everywhere watching, but I was standing there in my underwear, basically, with
2 my shorts down around my thighs with my handcuffs on with a bandage wrapped
3 tight around my head. (Att. #34.8)
4

5 Q But you said you had refused medical attention. Who did the bandage
6 around your head?
7

8 A Mr. Pack did.
9

10 Q Mr. Pack?
11

12 A Yes
13

14 Q Mr. Pack.”
15

16 **Heather-Ann:Tucci:Jarraf Cross-Examination of Randall-Keth:Beane, Trial**
17 **Transcript Volume V, Pg. 113-114, line 19-25; 1-25**
18

19 Q Okay. So at the RV where you were, there was approximately nine officers
20 and only one was in uniform?
21

22 A Only one.
23

24 Q Were the others dressed with, like, field jackets on that –
25

26 A They had on –
27

28 Q -- said anything?
29

30 A -- suits just like they're wearing today; just suits.
31

32 Q So out of the approximately nine officers, eight of them had business suits
33 on?
34

35 A Yes, ma'am.
36

37 Q Okay. At that point, you said that they had pulled your pants down and
38 you were in your underwear. Were you just standing there or were they taking you
39 to the car?
40

1 A No, I stood there for -- I bet I stood there for a good 45 minutes to an
2 hour before they ever put me in the car.

3
4 Q In your underwear?

5
6 A In my underwear.

7
8 Q Okay. Do you recall the kind of squad car -- or did they put you in a squad
9 car --

10 A Eventually they did.

11
12 Q -- with lights?

13
14 A They put me in a Knox County Sheriff's car.

15
16 Q Knox Sheriff. Is that the one officer that was in uniform that was there?

17
18 A Yes, that was the one officer that was there, yes."

19
20 Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker
21 Still – Trial Transcript, Volume I, Pg. 73-74, Line 12-17; 20-25, 1-9

22
23 Q Okay. So my question is, you had stated that once he had his hands around
24 his back, what methods did you use -- did he stop resisting arrest after he had been
25 elbow punched in the back of the head a number of times with his face in the
26 ground, or did he stop resisting arrest after he had already been passed out from a
27 head injury?

28
29 A ...the amount of force used was only the amount necessary to effectuate the
30 arrest, to make the arrest that day. We had a motor home that was running. I
31 mean, all he had to do was put it in drive and, you know, lives would have been
32 lost potentially. And also, we did not know who all -- you know, we don't -- it's --
33 we're reacting to a situation. We do not know what -- you know, if there's other
34 people involved. We just don't know. We have to make that arrest, get him cuffed
35 up. He was -- he did, as you said, he obtained a cut on his head. We had an
36 EMT, Jason, who was at the scene, is an agent who's also an EMT and he treated
37 him immediately. Also, we called an ambulance just to be on the safe side, and
38 Mr. Beane refused treatment.

1 Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker
2 Still – Trial Transcript, Volume I, Pg. 74, Line 10-13 (Att. #30.5)

3
4 Q When – after he received the head injury, he refused treatment?

5
6 A I disagree with that – I don't know – I mean, an injury, he got a cut on his
7 head.

8
9 Perpetrator and coconspirator and Prosecutor Cynthia Davidson Redirect
10 Examination of FBI Special Agent Parker Still – Trial Transcript, Volume I,
11 Pg. 82, line 10-20

12
13 Q Okay. And you mentioned you – just out of an abundance of caution, Mr.
14 Beane had a scratch on his head. Is that right?

15
16 A That's correct, yes, ma'am. And Jason, the agent at the scene, is a EMT,
17 paramedic. He immediately put a bandage on Mr. Beane, and I believe it was
18 Jason, too, who called the paramedics. The actual ambulance showed up, and we,
19 you know – to make – I mean, it just – we – we want to do right, want to treat
20 everybody fairly, want to – you know, if there was any injury, we wanted to make
21 sure he got the medical attention, and he refused.”

22
23 It is unfortunate these perpetrators and coconspirators are still in positions of
24 trust as they have proven themselves not trustworthy and among the demons
25 corrupting the government. The law does not allow a peace officer to use more
26 force than is necessary to effect an arrest. Strangulation is certainly not necessary
27 to effect the arrest of an unarmed middle-age man. Twisting Mr. Beane's arm,
28 giving Mr. Beane a black eye, putting bruises all over Mr. Beane's body, and
29 causing Mr. Beane's body to hurt all over from the beating they administered
30 in no way can be argued necessary to effect an arrest. (Att. #34.7) Mr. Beane was
31 elbowed to the back of the head until he bled. They strangled Mr. Beane in

1 violation of Tennessee Code § 39-13-102 (a)(2) – “**strangulation**
2 **means...impeding normal breathing or circulation of the blood by applying**
3 **pressure to the throat or neck...**” (Att. #49) It’s not clear how you interpret
4 strangulation as anything other than attempted murder. Of course it’s attempted
5 murder. You have no idea when breathing will cease and death occurs.

6 They physically beat Mr. Beane because they could, period! It was brutal
7 and barbaric! It is only by the GRACE OF GOD they didn’t kill Mr. Beane. The
8 beat-down was bad enough to make the thugs call an ambulance. “If a peace
9 officer does use such unnecessary force, he thereby becomes a trespasser from the
10 beginning, and may be lawfully resisted. It has been held that a person can resist
11 any arrest where he “has reasonable grounds to believe that the officer is not acting
12 in good faith,” and that “by submitting to arrest and being disarmed he will, by
13 reason of this fact, be in danger of great bodily harm or of **losing his life**.
14 (*Caperton v. Commonwealth*, 189 Ky. 652, 655, 225 S.W. 481, 483 (1920).

15 The Perpetrators and coconspirators didn’t talk to Mr. Beane like a man or a
16 woman, or an honest FBI agent or sheriff deputy who respects and honors his/her
17 position of emolument. They sneaked around like violent lawless thugs putting all
18 their male and female masculinity in that FBI badge, Sheriff deputy badge, and gun
19 the American people mistakenly entrusted to them. They ganged up on an
20 innocent unarmed 160lb man they had never met before—never interviewed him in

1 person or by phone—and they beat him up much like the Crips and the Bloods—
2 except these FBI and Sheriff deputy thugs delivered their violent physical beating
3 under the color of government authority. They were clothed with the authority of
4 the state. (Att. #22, #38, #39, #46, #47, #48, #49, #50)

5 Here's perpetrator and coconspirator Parker Still admitting he'd never met
6 Randall-Keith:Beane before his planned sneak attack and aggravated assault:

7 **Heather-Ann:Tucci:Jarraf Cross-Examination of Parker Still, Trial**
8 **Transcript, Volume I, P. 52-53, Line 13-25; 1-10**
9

10 Q You stated in your direct with Ms. Davidson that you didn't have hardly any
11 information on Randall Beane except for his driver's license photo or the scan of
12 his driver's license. Did you ever give Mr. Beane an opportunity to...**did you ever**
13 **once think let me get the other side of the story?**
14

15 A Absolutely.
16

17 Q And the first time that you ever made contact with Randall, was that when
18 you guys passed him out?
19

20 A Let me – let me – I take --.
21

22 Q Please just answer the question --.
23

24 A No. I'll --.
25

26 Q yes or no, was the first time that you met Randall on July 11th when your
27 teams passed him out of the vehicle? Was that the first time?
28

29 A **The first time we ever met Mr. Beane was on July 11th.**
30

31 Q When you pulled him out of the RV. Is that correct?
32

33 A When I – when we – when we removed him from an RV purchased with
34 stolen money that was running.”

1 Perpetrator and conspirator Parker Still lied to the jury and told them Mr.
2 Beane stole a motorhome (Trial Transcript, Volume I, P. 63, Line 25) out of one
3 side of his mouth while at the same time stating he had to abandon the
4 affidavit/warrant process because "-- the keys are going to be turned over to
5 him." (Trial Transcript, Volume I, P. 62, Line 22 – Att. #30.3) If the keys were
6 turned over to Mr. Beane it is clear Mr. Beane did not steal the motorhome.

7 Perpetrator and conspirator Parker Still admitted his group of thugs inflicted
8 a bleeding cut on Mr. Beane's head. (Att. #30.5) He already acknowledged they
9 elbow punched Mr. Beane in the back of the head a number of times with his face
10 buried in the dirt to near death. Perpetrator and conspirator Cynthia Davidson
11 misled the jury by getting him to lie under oath and say it was a scratch – after he
12 just testified it was a bleeding cut. No one calls an ambulance for a scratch. It's
13 not typical to bandage one's head for a scratch. Perpetrator and conspirator
14 Cynthia Davidson intentionally lied to the jury. She concealed the aggravated
15 assault that conspirator Parker Still admitted to. Randall-Keith:Beane needed his
16 head bandaged to stop the blood flow. And have no doubt, if perpetrator and
17 coconspirator Parker Still admitted under oath to inflicting a cut on Mr. Beane's
18 head you can be guaranteed it was likely worse. They meant to injure Mr. Beane.

1 It's also clear beating up and physically assaulting Americans is part of
2 perpetrator and coconspirator Parker Still's modus operandi. It seems to be his
3 normal practice to beat up those he arrests. Trial transcript:

4 **"Just like tonight if I see a shoplifter running down the aisle at Walmart, I can**
5 **tackle them. You know, I can make a probable cause arrest in Tennessee."**

6 (Trial Transcript, Volume I, P. 62, Line 12-14) Att. #30.3

7 If they haven't left the store they haven't stolen anything. Maybe they're
8 running down the aisle to meet someone. What is the probable cause? Running
9 down the aisle? It appears he's saying running down the aisle establishes probable
10 cause and probable cause means he can tackle and physically assault you. This
11 same scenario played out at Buddy Gregg RVs & Motor Homes. Mr. Beane never
12 left the dealer lot and perpetrator and conspirator Parker Still and his group of
13 thugs physically assaulted Mr. Beane and caused serious injury. An officer does
14 not determine probable cause. That's the job of a judge.

15 (C) **Public Humiliation**

16 The perpetrators and conspirators forced Randall-Keith:Beane, at gunpoint,
17 to stand in the Tennessee summer heat handcuffed while they pulled down his
18 pants and exposed his underwear to the many spectators and passersby. (Att.
19 #34.8, #34.9) They made him stand there for 45 minutes to an hour, with his
20 shorts down and his underwear exposed, and with a bleeding head intentionally

1 bandaged too tight. Mr. Beane did not request or authorize the bandage. It, too,
2 was a physical assault on Mr. Beane.

3 What lawful reason would the perpetrators and conspirators have to pull
4 down Randall-Keith:Beane's pants to expose his underwear? Were they a bunch
5 of thug sexual deviants who used their badge and gun to take a sneak peek at
6 Randall-Keith:Beane's package? Was the visibly pregnant agent comparison
7 shopping because she wasn't satisfied with what she had at home? Or was the
8 assault meant to be torture and humiliation? The baby bump "may" have
9 prevented her from throwing a punch, but she clearly did not intervene to stop the
10 Constitutional violations as required. Perhaps she couldn't imagine her unborn
11 child one day being viciously gang attacked like Randall-Keith:Beane and hoping
12 an honest decent officer would intervene and stop it. Randall-Keith:Beane is
13 somebody's child. We're all somebody's child no matter our age.

14 It was, no doubt, a deliberate act of torture and humiliation to make sure
15 Randall-Keith:Beane cooperated with the perpetrators plot and conspiracy. They
16 intended for him to keep his mouth shut about the \$31,000,494.97 and allow them
17 to do as they please. The physical beating and bruised body, elbow punches to the
18 back of the head, bleeding cut to the head, twisting of his arm, the black eye,
19 making him stand in the Tennessee hot sun for 45 minutes to an hour handcuffed
20 with his pants down, and strangled to near death was just a taste of what was to

1 come if Mr. Beane didn't shut up and allow them to falsely imprison him. They
2 wanted to inflict physical and psychological suffering and pain on Mr. Beane as a
3 down payment on the public trial and conviction abuse he would receive down the
4 road. Their conduct was despicable and unlawful. They weren't dealing with Al-
5 Qaeda or ISIS militants. They weren't dealing with a domestic terrorist. For a
6 domestic terrorist they needed to look no further than the mirror.

7 **DEFINITION**

8 Black's Law Dictionary, Second Pocket Edition, P. 714

9 **torture** – The infliction of intense pain to the body or mind to punish...to
10 obtain sadistic pleasure.

11 The Essential Law Dictionary, First Edition, 2008, P. 500

12 **torture** – The infliction of severe mental or physical pain on a person in
13 order to intimidate or punish the victim or to elicit information.

14 (D) **Felony Kidnapping**

15
16 When the arrest is not pursuant to legal forms of the law, without charge, or
17 complaint, without a warrant issued by a court or magistrate having competent
18 authority – IT IS FELONY KIDNAPPING!

19
20 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
21 **Still – Trial Transcript, Volume I, Pg. 61-62, Line 20-25; 1-4; 8-11**

22
23 Q Okay. Then let's address that, because you had stated when you were
24 working on the affidavit, you just got up and ran and grabbed -- I'm sorry I don't
25 remember your partner's name, but another colleague?

26
27 A Yes, ma'am. Correct.

1 Q Where did that information come from that would have you stop the lawful
2 process, the criminal procedures you're supposed to follow in order to have a
3 warrant to be able to arrest someone? What -- who called you with that
4 information that had you abandon protocols and process?

5
6 A The argument that I abandoned protocols and process, I strongly disagree
7 with. I did not abandon anything. We have -- we can make a probable cause arrest
8 based on information.

9
10 Probable cause is not a defense to false imprisonment. Perpetrator and
11 conspirator Parker Still said they made a probable cause arrest, but they
12 did not go before a magistrate or judge for a probable cause hearing.

13 Perpetrator and conspirator Parker Still said they used a South Carolina statewide
14 misdemeanor traffic related bench warrant to arrest Mr. Beane, but that warrant
15 was disposed of two years earlier and it was a statewide warrant.

16 Plain and simple, it was an unlawful arrest, felony kidnapping, unlawful
17 detention and false imprisonment.

18 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
19 **Still – Trial Transcript, Volume I, P. 62, Line 18-25**

20
21 A I was working on a seizure warrant. That is correct. At the time I was
22 working on a seizure warrant in coordination with the U.S. Attorney's Office.
23 Once the facts changed, and Mr. Beane starts -- is -- plans to leave in that
24 motorhome or it's going to be -- the keys are going to be turned over to him at
25 Buddy Gregg, we had to react. There was not time for me to get in front of the
26 magistrate judge. There was not time for me to finish an affidavit. We had to
27 react at the time.”

28
29 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
30 **Still – Trial Transcript, Volume I, Pg. 63, line 20-25**

1 ...Buddy Gregg, it's my understanding as a -- that Buddy Gregg provided that
2 information to one of our task force officers who relayed that information to me
3 that he was leaving in the motorhome. And you know what? When we got there, he
4 was leaving in the motorhome. Pretty good information. Stolen motorhome. “

5
6 Perpetrator and conspirator Parker Still says he was working on a seizure
7 warrant. He was not working on an arrest warrant and it's likely because he knew
8 he didn't have probable cause to present to a judge. They used the South Carolina
9 statewide traffic related bench warrant that had been disposed of two-years (July
10 17, 2015) earlier as the predicate to arrest Randall-Keith:Beane on July 11, 2017.

11 **The Dept. of Justice – 1033. KIDNAPPING—18 U.S.C §§ 1201, 1202**

12 “Conviction for the offense of kidnapping requires proof of transportation in
13 interstate commerce, **of an unconsenting person**, who is held for ransom or
14 reward **or otherwise**, where the accused's acts were **knowingly and willfully**
15 **committed**. See United States v. Osborne, 68 F.3d 94 (5th Cir. 1995). See
16 also United States v. Crosby, 713 F.2d 1066 (5th Cir.); cert. denied, 464 U.S. 1001
17 (1983). Proof is not required that the accused carried out the kidnapping for
18 personal financial gain. See United States v. Childress, 26 F.3d 498 (4th Cir.
19 1994), cert. denied, ___ U.S. ___, 115 S. Ct. 1115 (1995).”

20 Jaron Patterson, University of Tennessee Police Department and FBI Cyber
21 Task Force Investigator, was at the scene when the FBI perpetrators arrested
22 Randall-Keith:Beane. Perpetrator and conspirator Jaron Patterson did not have an
23 arrest warrant. He said he had knowledge of an active arrest warrant but didn't

1 recall who issued it. (Att. #31.4) Perpetrator and conspirator Jaron Patterson said
2 the FBI confirmed the active South Carolina warrant but nobody had a copy of it
3 because it's "not very common to take a copy." (Att. #31.5, #55) Perpetrator and
4 conspirator Jaron Patterson did not make an effort to confirm the South Carolina
5 active warrant and he did not know if it truly existed. (Att. #31.6 and #31.7)

6 Randall-Keith:Beane asked for a copy (Att. #55) of the warrant and they
7 turned a normal part of due process in which they are obligated to provide a copy
8 of the warrant into a physical attack. Why? Because they were pissed that Mr.
9 Beane was smart enough to ask for the warrant and they knew they didn't have
10 one. Randall-Keith:Beane had no way of knowing if the alleged warrant was
11 lawful so he asked to see it. As it turns out it wasn't. They knew they couldn't
12 show Mr. Beane the South Carolina warrant because Mr. Beane would have
13 researched and scrutinized it and advised them it was not valid.

14 The perpetrators and conspirators:

- 15 1) used a South Carolina statewide misdemeanor traffic related bench
16 warrant that was disposed of two years earlier (7/17/2015) to arrest
17 Randall-Keith:Beane on 7/11/2017,
18
- 19 2) knew the warrant was not active and was for South Carolina only,
20
- 21 3) knew they had no lawful or legal reason to arrest Randall-Keith:Beane
22 and no lawful or legal reason to arrest Heather-Ann:Tucci:Jarraf,
23

1 4) physically assaulted Randall-Keth:Beane and Heather-Ann:Tucci:Jarraf
2 by handcuffing and forcing them into a vehicle so that they could kidnap
3 and transport them to an illegal and unlawful confinement.

4
5 5) illegally and unlawfully detained Randall-Keth:Beane from July 11,
6 2017 to July 27, 2017 – 17 DAYS – with NO WARRANT and NO
7 PROBABLE CAUSE HEARING. They never held a probable cause
8 hearing because they never had probable cause.

9
10 6) issued two fraudulent fictitious signed United States District Court for the
11 Eastern District of Tennessee warrants signed by “A. Brush” –not the
12 clerk as required by 18a U.S. Code Rule 9. (Att. #10)

13
14 7) kidnapped Randall-Keth:Beane and Heather-Ann:Tucci:Jarraf
15

16 Use of an inactive disposed of South Carolina statewide misdemeanor traffic
17 related bench warrant, and a fraudulent fictitious signed United States District
18 Court for the Eastern District of Tennessee warrant means the perpetrators and
19 coconspirators never had a lawful reason to arrest or detain Randall-Keth:Beane or
20 Heather-Ann:Tucci:Jarraf from day one. This means they knowingly and
21 intentionally kidnapped Randall-Keth:Beane and Heather-Ann:Tucci:Jarraf with
22 the hope they wouldn’t get caught.

23 **VIII) Private Property Search and Seizure Without a Warrant**

24 On July 11, 2017 the FBI perpetrators seized the private property
25 motorhome without a seizure warrant and went joyriding in it. This is called theft!
26 Trial transcript:

1 **Heather-Ann:Tucci:Jarraf Cross-Examination of Randall-Keith:Beane, Trial**
2 **Transcript Volume V, P. 118-119, Line 5-25; 1-2**

3
4 Q Okay. So they took you straight to the detention facility; no more stops?

5
6 A Right. That was -- while we were on the way is when I passed -- we came up
7 behind the coach, and I said to Officer Blaine, I said, "That looks like my coach."
8 And as we drove by, that's when Mr. Pack and Mr. Still were laughing and --
9 pointing at me and laughing.

10
11 Q They were driving your RV?

12
13 A Yes, they were driving the RV.

14
15 Q Who was driving? Mr. Parker?

16
17 A Mr. Pack was driving and Mr. Parker was sitting in the passenger seat.

18
19 Q And you now know Mr. Pack and Mr. Still and Mr. Duran to be with the
20 Federal Bureau of Investigations?

21
22 A Yes.

23
24 Q Knox County, or in Knox?

25
26 A From the discovery that I've read, yes. I don't know that other than through
27 discovery that I've read.

28
29 Q **But at that time you didn't know?**

30
31 A **I had no idea.**

32
33 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
34 **Still, Trial Transcript Volume I, Pg. 64, line 1-6**

35
36 Q Did you also retrieve or seize at that time Randall Beane's cash that he had
37 already paid to Buddy Gregg three days -- excuse me, four days prior to you taking
38 him on the 11th?

1 A Did we seize the cash? No, ma'am. We ultimately seized the motor
2 home, not any cash that I'm aware of."

3
4 Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker
5 Still, Trial Transcript Volume I Pg. 64, line 7-17

6
7 Q Okay. So on the 11th, you seized a motor home which he had bought four
8 days prior and paid cash for, but didn't grab the cash as well as part of the
9 evidence of a crime?

10
11 A No, ma'am. The – you know, you're getting into some legal stuff, you
12 know, whether you've got good faith purchasers and that kind of stuff. We seized
13 the asset that was purchased with the stolen money. The victim bank, you know
14 – or USAA, and I think this is Whitney Bank who is the correspondent bank, who
15 actually received the money, you know, that's – I mean, I don't think that money
16 has been seized. I know it hasn't. That money has never been seized."

17
18 Prosecutor Cynthia Davidson Redirect Questioning FBI Special Agent Parker
19 Still, Trial Transcript Volume I, Pg. 80, line 11-13

20
21 Q What kind of warrant were you working on on the 11th?

22
23 A That was a seizure warrant, an affidavit of seizure warrant, probable cause
24 warrant to seize the motor home.

25
26 Perpetrator and conspirator Parker Still was not trying to get an arrest
27 warrant. He covered that angle with the phony South Carolina statewide
28 misdemeanor traffic related bench warrant that had been disposed of two years
29 earlier. He was focused on taking the private property motorhome, but he didn't
30 have a seizure warrant to take it lawfully so he just broke the law and took it
31 without a seizure warrant. The due process clause requires the government to
32 afford notice and a meaningful opportunity to be heard before seizing property.

1 And private property is seized only by way of military necessity under the Lieber
2 Code.

- 3 • *Gerstein v. Pugh*, 420 U.S. 103; *Graham v. Connor*, 490 U.S. 386,
4 distinguished. **Where the Government seizes property not to preserve**
5 **evidence of criminal wrongdoing but to assert ownership and control**
6 **over the property, its action must also comply with the Due Process**
7 **Clause.** See, e.g., *Calero Toledo v. Pearson Yacht Leasing Co.*, 416 U.S.
8 663; *Fuentes v. Shevin*, 407 U.S. 67. Pp. 4-8” (United States v. James Daniel
9 Good Real Property (92-1180), 510 U.S. 43 (1993)., Ninth Circuit)

10 The FBI perpetrators and coconspirators didn’t seize the \$31,000,494.97
11 (Trial Transcript, Volume II, P. 38, Line 14 – Att. #31.3) that was transferred from
12 Mr. Beane’s treasury direct depository account to Mr. Beane’s USAA Bank
13 account as evidence. The FBI didn’t seize the \$493,110.68 used to purchase the
14 motorhome as evidence. (Att. #29.2) Why? Because they knew no crime had
15 occurred. The Buddy Gregg snitches were likely told they could keep the
16 \$493,110.68 (which was lawfully already theirs through a lawful purchase
17 transaction), and they wouldn’t face obstruction of justice charges, in exchange for
18 their willingness to cooperate and violate Mr. Beane’s rights without force of law
19 (subpoena).

20 On July 11, 2017 the FBI and their coconspirators unlawfully seized the
21 private property motorhome. It was seized and converted to the use of the
22 government without any lawful authority, without any process of law.

23 **IX) Grand Jury Witness**

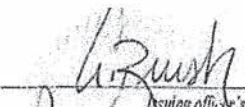

24 On/about July 18, 2017 perpetrator and conspirator Parker Still strutted
25 down to the grand jury -- fresh off participating in beating up Mr. Beane,
26 trespassing on private property, stealing private property, publicly humiliating Mr.
27 Beane by pulling down his pants (Att. #34.8), kidnapping him, and falsely
28 imprisoning him eight (8) days earlier—all without a valid arrest warrant, without

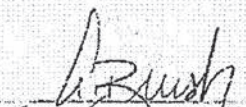
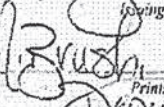
1 a seizure warrant and without a probable cause hearing -- to give knowing, willing,
2 and intentional false testimony as the ONE AND ONLY grand jury witness. There
3 was no victim or accuser testimony – just the man who committed aggravated
4 assault and battery on Mr. Beane eight days earlier, imprisoned Mr. Beane without
5 a valid warrant, seized private property without a seizure warrant and used a South
6 Carolina statewide misdemeanor traffic related bench warrant that had been
7 disposed of two years earlier to do it. Innocent until proven guilty was thrown out
8 the window. There was no due process, period!

9 Mr. Beane and Mrs. Tucci:Jarraf were indicted that day.

10 **X) Fraudulent Fictitious Signed District Court Arrest Warrant** (Att. #3,
11 #4, and #10)

12 On/about July 19, 2017, the US District Court for the Eastern District of
13 Tennessee issued an indictment arrest warrant for Mr. Beane and Mrs.
14 Tucci:Jarraf. These were special arrest warrants. They had the word “sealed”
15 stamped 2-3 times, FBI/Still at the top, numbers, dates written all
16 over it to make it look “official.” What the two arrest warrants didn’t have was the
17 signature of the clerk – Debra C. Poplin. This is how the warrants were signed:

18 
19 Issuing officer's signature
20 
21 Printed name and title
U.S. Magistrate Judge
Deputy Clerk
Return


Issuing officer's signature

Printed name and title
U.S. Magistrate Judge
Deputy Clerk
Return

1 Randall-Keith:Beane

2 United States District Court for the
3 Eastern District of Tennessee Arrest
4 Warrant not signed by the then clerk –
5 Debra C. Poplin.

6 18a U.S. Code Rule 9. Arrest Warrant or Summons on
7 an Indictment or Information

8 (b) FORM.

9 (1) Warrant. The warrant must conform to Rule 4(b)(1) except that it
10 must be signed by the clerk and must describe the offense charged in the
11 indictment or information.

12 Att. #3, #4, and #10

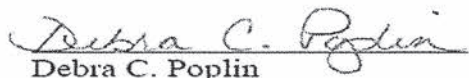
Heather-Ann:Tucci:Jarraf

United States District Court for the
Eastern District of Tennessee Arrest
Warrant not signed by the then clerk –
Debra C. Poplin.

Below is Debra C. Poplin's signature on a
document in a different matter. (Document 45,
case 3:18-cv-00411-DCP, Filed 06/03/19)

It was announced on/about Sept. 13, 2017 (2
months after Beane's arrest) that U.S. District
clerk Poplin was appointed U.S. Magistrate
Judge for the Eastern District of Tennessee. Her
term began Feb. 13, 2018. She succeeded Chief
Magistrate Judge C. Clifford Shirley Jr., who
retired.

ENTER:


Debra C. Poplin
United States Magistrate Judge

13 Who is A. Brush? At the time the fraudulent indictment arrest warrants
14 were issued the clerk was Debra C. Poplin. The arrest warrants should have been
15 signed by her in accordance with Rule 9. Arrest Warrant on an Indictment – "(b)
16 FORM. (1) Warrant. The warrant must conform to Rule 4(b)(1) except that "it
17 must be signed by the clerk..." -- not a deputy! (Att. #10)

18 The arrest warrants appear to be forged fictitious fraudulent falsified
19 government documents. The court directory did not show an A. Brush or a
20 "deputy clerk" position in the US District Court for Eastern Tennessee.

Court Directory

Clerk's Office

John L. Medearis, Clerk of Court, (423) 752-5200

LeAnna Wilson, Chief Deputy Clerk, (865) 545-4228

Division Managers

Russell Eslinger	Chattanooga & Winchester	(423) 752-5200	russell_eslinger@tned.uscourts.gov
Rick Tipton	Greeneville	(423) 639-3105	rick_tipton@tned.uscourts.gov
Kathy Keeton	Knoxville	(865) 545-4228	kathy_keeton@tned.uscourts.gov

There is a “chief deputy clerk” position. The chief deputy clerk for 17 years was John Medearis. He was promoted to the clerk of court February 13, 2018 and the then clerk of court (Debra C. Poplin) was promoted to replace magistrate judge C. Clifford Shirley. John Meaderis was the chief deputy clerk for seventeen years prior to his 2018 promotion. Again, who is A. Brush?

Why didn't the clerk, Debra C. Poplin, sign those fraudulent indictment arrest warrants? The largest part of a court clerk's job is handling court records. Why didn't Debra C. Poplin screen and audit the arrest warrants as she would other documents submitted in the federal courts to ensure that they complied with legal requirements? The warrants are invalid and void, and a prosecution and verdict of guilty does not make an unlawful arrest lawful.

The arrest warrants are invalid because they were not signed by then clerk Debra C Poplin. The warrants are fictitious and fraudulent in violation of 18 U.S.

1 Code § 1001 (a) (1) (2) (3). (Att. #21) The false, fictitious, fraudulent statements,
2 representations, and documents (arrest warrants) occurred prior to the beginning of
3 judicial proceedings. Keep in mind they skipped a probable cause hearing. The
4 only hearing held was a few hours of perpetrator and conspirator Parker Still's
5 testimony before a grand jury so the FBI and US Attorney could get an indictment
6 to have a fictitious clerk issue fraudulent arrest warrants and move toward judicial
7 proceedings. They knew they could not get a probable cause arrest warrant. Not
8 even a crooked magistrate or judge would go for such blatant violation of law. The
9 grand jury, on the other hand, was a different story. They had a great deal of faith
10 they could manipulate, threaten, or buy the grand jury indictment.

11 **DEFINITION:**
12

13 **JUDICIAL PROCEEDING** -- "Any proceeding wherein judicial action is
14 invoked and taken." (Black's Law Dictionary, 4th Edition, Page 986)
15

16 Perpetrator and coconspirator Parker Still was questioned under oath why he
17 arrested Mr. Beane on the 11th but didn't get a Tennessee warrant until the 19th.
18 Still explains he used the disposed of South Carolina warrant until he could get the
19 fraudulent fictitious Tennessee warrant.
20

21 **Randall-Keith:Beane Cross Examination of Parker Still, Trial Transcript**
22 **Volume VII, P. 58, Line 5-18**
23

24 Trial excerpt:
25

26 Q You are right. It was the 11th -- I mean, the 19th -- why would it take so
27 many days between the 11th and the 19th to come up with this warrant from the
28 FBI?
29

1 A Well, Mr. Beane, there was a grand jury date in between. So just to explain
2 the Exhibit 165, like I was shown, that was the e-mailed copy of the warrant that
3 was sent to me. That was the one from South Carolina.

4
5 Q The alleged warrant?

6
7 A Your words, sir. And then the -- this -- there would have been a grand jury
8 date in between, so I would have gone in front of the grand jury. The grand jury
9 would have issued what we call a true bill, an indictment, and that's when we
10 would have had it served out there at the jail.

11
12 **XI) Tennessee Arrest Law**

13
14 Given they used a disposed of South Carolina statewide arrest warrant and a
15 fictitious signed Tennessee district court indictment arrest warrant it is obvious the
16 perpetrators and coconspirators were also in violation of Tennessee arrest
17 requirements. Perpetrator and conspirator Parker Still testified as follows:

18 **Heather-Ann:Tucci:Jarraf Cross-examination of Parker Still, Trial**
19 **Transcript, Volume I, P. 44-45, Line 10-25, 1-4**

20
21 Q So within the laws and the statutes and the codes and the constitution and
22 your own FBI policy standards. Is that correct? That limits what kind of
23 actions you can take?

24
25 A **No, ma'am. I wouldn't limit.** I wouldn't say that even limits us. Because, I
26 mean, **in a state like Tennessee**, you know, where we have -- we have --
27 might even have -- in a lot of states, **we might have something called like a**
28 **peace officer status** or something where **we can even enforce the laws of**
29 **the State of Tennessee**. So, I mean, it's hard to limit when you start, you
30 know, saying, you know, this code or that code or this or that. So I can't
31 agree to that statement.

32
33 Q So you would do -- you're stating that you could do any actions regardless if
34 there's codes, statutes, actual laws that you're supposed to follow?

1 A No, ma'am. I can't do any actions. I am bound by, you know, rules and
2 regulations. And you did -- you said a lot of them that we are bound by, the
3 United States Constitution, the FBI internal rules, Department of
4 Justice, big umbrella, you know, that we fall under. State of Tennessee, you
5 know, I mean, there's a lot of rules and regulations out there.

6
7 Perpetrator and conspirator Parker Still states he can enforce the laws of
8 Tennessee. There is NOTHING in 18 U.S. Code § 3052 (Att. #15) that allows him
9 to enforce Tennessee law. However, he was obligated to adhere to Tennessee laws
10 and rules:

11 2018 Tennessee Code Title 40 - Criminal Procedure Chapter 6 - Warrants
12 Part 1 - Search Warrants § 40-6-103. Probable cause and affidavit.
13 Universal Citation: TN Code § 40-6-103 (2018) (Att. #52)
14

15 A search warrant can only be issued on probable cause, supported by
16 affidavit, naming or describing the person, and particularly describing the property,
17 and the place to be searched.

18 2018 Tennessee Code Title 40 - Criminal Procedure Chapter 6 - Warrants
19 Part 1 - Search Warrants § 40-6-104. Examination of complainant.
20 Universal Citation: TN Code § 40-6-104 (2018) (Att. #53)
21

22 The affidavits must set forth facts tending to establish the grounds of the
23 application, or probable cause for believing the grounds exist.

24 2018 Tennessee Code Title 40 - Criminal Procedure Chapter 6 - Warrants
25 Part 2 - Arrest Warrants § 40-6-216. Copies of warrants. Universal Citation:
26 TN Code § 40-6-216 (2018) (Att. #55)
27

28 (a) A criminal defendant...shall have the right to...receive...a copy of any
29 warrant...

1 **2018 Tennessee Code Title 40 - Criminal Procedure Chapter 6 -- §40-6-208.**

2 **Contents of warrant.** (Att. #54)

3 (d) The warrant shall include a copy of the affidavit of complaint.

4 Not only did the perpetrators and conspirators not give Mr. Beane a copy of
5 the alleged warrant, they wouldn't tell him why he was being arrested. (Att.
6 #34.10)

7 **XII) No FBI Jurisdiction and No US Attorney Jurisdiction** (Att. #15, #16.1,
8 #16.2, #17, and #18)

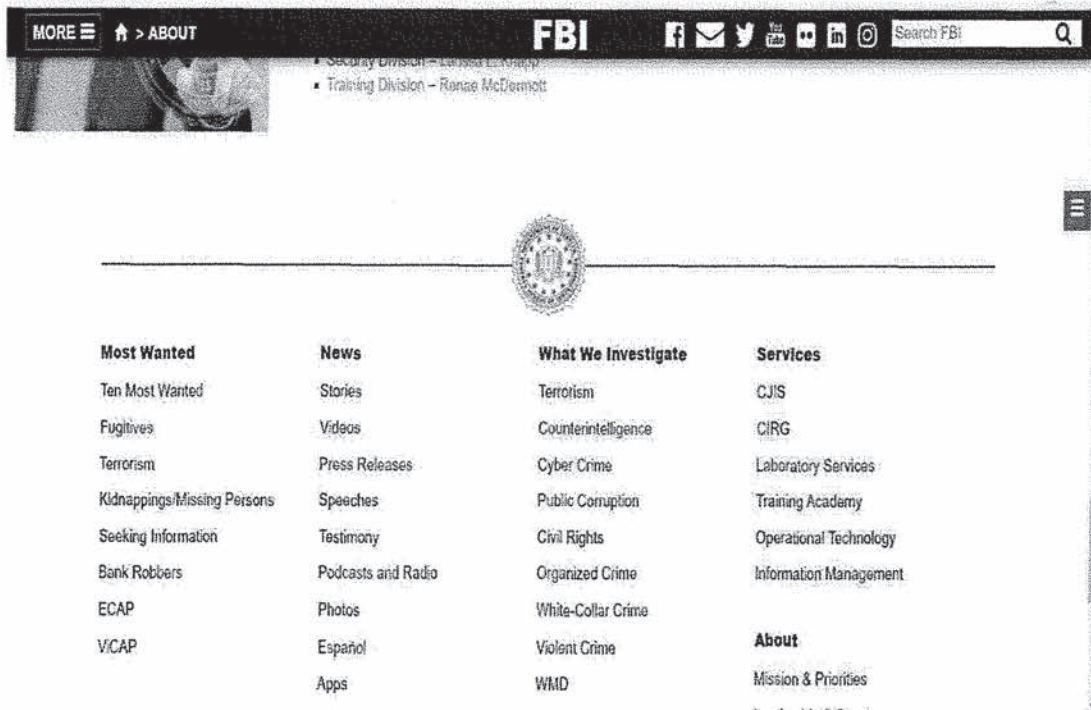
9 **No FBI Jurisdiction**

10 The FBI did not have jurisdiction. Upon what authority did perpetrator and
11 coconspirator Parker Still believe he had jurisdiction to make an arrest of a private
12 American engaged in a private business transaction? None! No authority!

13 The Knoxville FBI website has the following: **What We Investigate:**

14• Terrorism
15• Counterintelligence (N/A)
16• Cyber Crime
17• Public Corruption
18• Civil Rights
19• Organized Crime
20• **White-Collar Crime**
21• Violent Crime
22• WMD

23
24 **<https://www.fbi.gov/contact-us/field-offices/knoxville>**
25
26
27
28
29



Perpetrator and conspirator FBI special agent Parker Still tried to gain

jurisdiction by calling it a “white-collar crime.” White collar crimes are his

specialty. Grand Jury Transcript:

Cynthia F. Davidson Questioning Parker Still, Grand Jury Transcript, P. 2-3, Line 25, 1-5

Q And do you have a specialization at the FBI? Are you in a squad? Do you investigate a specific type of cases?

A Yes, ma’am. I handle primarily white collar cases involving, you know, bank fraud, wire fraud, mail fraud, general financial crimes.

Here’s the **FBI definition** of white collar crime from their website:

“Reportedly coined in 1939, the term **white-collar crime is** now

synonymous with the full range of **frauds committed by business and**

1 government professionals. These crimes are characterized by deceit,
2 concealment, or violation of trust and are not dependent on the application or threat
3 of physical force or violence.

4 The FBI's white-collar jurisdiction is over business and government – not
5 private Americans engaged in a private transaction.



7

8

9

10

11

Reportedly coined in 1939, the term white-collar crime is now synonymous with the full range of frauds committed by business and government professionals. These crimes are characterized by deceit, concealment, or violation of trust and are not dependent on the application or threat of physical force or violence. The motivation behind these crimes is financial—to obtain or avoid losing money, property, or services or to secure a personal or business advantage.

12 Perpetrator and conspirator Parker Still did not have jurisdiction and he
13 knew it, but it didn't stop him from committing private property trespass,
14 aggravated assault, kidnapping, stealing private property and falsely imprisoning
15 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf.

16 According to 18 USC 3052 – Powers of Federal Bureau of Investigation –
17 “... agents of the Federal Bureau of Investigation of the Department of Justice
18 may carry firearms, serve warrants and subpoenas issued under the authority
19 of the United States and make arrests without warrant for any offense against
20 the United States committed in their presence, or for any felony

1 **cognizable** under the laws of the United States if they have reasonable grounds to
2 believe that the person to be arrested has committed or is committing such felony.

3 **DEFINITION**

4 Cognizable Law and Legal Definition

5 Cognizable means capable of being known or considered. It means capable
6 of being judicially tried or examined before a designated tribunal. A cognizable
7 claim or controversy is one that meets the basic criteria of viability for being tried
8 or adjudicated before a particular tribunal. The term means that the claim or
9 controversy is within the power or jurisdiction of a particular court to adjudicate.

10 **That which is cognizable to a judge is within the scope of his or her**
11 **jurisdiction.** (<https://definitions.uslegal.com/c/cognizable/>)

12 This case was not within the scope of the Tennessee District Court according
13 to the two ways for a federal court to gain subject matter jurisdiction. (Att. #6)
14 Perpetrator and conspirator Parker Still did not have a cognizable interest in the
15 case. He lacked standing and jurisdiction to initiate the case against Randall-
16 Keith:Beane and Heather-Ann:Tucci:Jarraf. The plaintiff and the perpetrators
17 and coconspirators did not have an interest in Mr. Beane's private business
18 transaction. They had no legal or lawful authority to arrest Mr. Beane.

1 18 USC 3052 says the FBI can “make arrests without warrant for any
2 offense against the United States committed in their presence...” There was no
3 offense committed against the United States or the United States of America.

4 **Parker Still Cross-examined by Heather-Ann:Tucci:Jarraf, Trial Transcript**
5 **Volume I, P. 45, Line 12-18:**

6 Q Okay. But let’s go into the probable cause. That day, do you believe that
7 you had probable cause that day to arrest Randy Keith Beane?

8 A Without a doubt, ma’am. He is sitting in a vehicle purchased with stolen
9 money with the vehicle running. You better believe I had probable cause. I saw it
10 with my own two eyes.”

11 An officer cannot make a determination with regard to probable cause. That
12 is the job of a judge. What is the “it” he saw with his own two eyes? He saw Mr.
13 Beane sitting in private property with the motor running. How did he determine on
14 the spot that the vehicle was purchased with “stolen money?” Without
15 investigating or interviewing Mr. Bean perpetrator and conspirator Parker Still
16 concluded that Mr. Beane had committed an offense against the United States and
17 he proceeded to trespass upon private property, commit aggravated assault against
18 Mr. Beane, steal private property, kidnap and falsely imprison Mr. Beane -- all
19 because he saw Mr. Beane sitting in private property with the engine running.
20 That was perpetrator and conspirator Parker Still’s probable cause. Mr. Beane
21 explained why the engine was running (not that it was any of perpetrator and
22 conspirator Still’s business):

1 **Heather-Ann:Tucci:Jarraf Cross Examination of Randall-Keith:Beane, Trial**
2 **Transcript Volume V, P 103, Line 21-24**

3
4 A No, not at that point. At that point, Al -- Val was -- she felt like she was
5 getting a heatstroke. So we got the RV started and she got inside to where she
6 could cool off.

7
8 "White-collar crime" was not the only argument the FBI and US attorney
9 perpetrators and coconspirators used to take jurisdiction. They also argued the
10 financial institutions involved were FDIC insured. This was to create standing.
11 During the grand jury hearing and trial the perpetrators said:

- 12 • A It's -- the banking part of USAA is federally **backed by** the Federal
13 Deposit Insurance Corporation commonly referred to as **the FDIC**."
14 (Cynthia Davidson Questioning Parker Still -- Grand Jury Transcript, Pg. 3,
15 line 18-20)

- 16
17 • Q Okay. During the **theft from the defendant**, Randall Keith Beane,
18 roughly July 30 -- I'm sorry, July 3rd, 2017 through July 10th, 2017, was
19 **USAA Bank FDIC insured?**

20
21 A Yes. (Prosecutor Cynthia Davidson Questioning Monica Alcala, Trial
22 Transcript Volume II, Pg. 38, line 4-7 -- Att. #31.3)

- 23
24 • Q All right. Whitney Bank. And so is Whitney Bank **FDIC insured?**

25
26 A Yes. . (Prosecutor Anne-Marie Svolto Questioning Lauren
27 Palmisano -- Trial Transcript VOLUME III, Pg. 112, line 3-5)

28
29 REMEMBER: (1) There was no loss to the US government (Att. #33.2), (2) No
30 FDIC claim filed, and (3) The FDIC does not insure robberies and other thefts.
31 (Att. #36)

32 **No US Attorney Jurisdiction**

1 United States Attorneys jurisdiction extends to “all offenses against the
2 United States.” (Att. #18) There was no offense against the United States by
3 Randall-Keith:Beane or Heather-Ann:Tucci:Jarraf.

4 The perpetrators could not provide evidence that the United States of
5 America sustained an injury that would give rise to a cause of action/standing.
6 (Att. #33.2) In piecing together their fraudulent “felony” fraud and money
7 laundering case they had to create an injury for the United States of America by
8 connecting the FDIC to the case -- implying an FDIC claim was made and paid.
9 But the FDIC had nothing to do with the case.

10 The FDIC does not insure ‘robberies, thefts, and other causes of
11 disappearing funds.’ (Att. #36) The perpetrators knew there was no FDIC claim
12 and the FDIC had nothing to do with the case but they decided to make that link
13 regardless of the deception. It was an intentional perversion of the truth for the
14 purpose of inducing the grand jury to indict and the trial jury to convict.

15 The perpetrators and conspirators said they considered USAA Bank to be
16 their “victim,” not the United States of America. They tell us here:

- 17 • A “In this case, **USAA is our victim.**” (Prosecutor Cynthia Davidson
18 Questioning FBI Special Agent Parker Still, Trial Transcript Volume I, Pg.
19 24, line 19-20)
20
- 21 • Q **So at that point, you had determined that USAA Bank was the**
22 **victim before looking at any other information?**
23

1 **A I – at that time, yes.** (Heather-Ann:Tucci:Jarraf Cross-Examination
2 of FBI Special Agent Parker Still, Trial Transcript Volume I, Pg. 50-51, line
3 25; 1-2)

- 4
5 • **A The victim bank, you know – or USAA”** (Heather-Ann:Tucci:Jarraf
6 Cross-Examination of FBI Special Agent Parker Still, Trial Transcript
7 Volume I, Pg. 64, line 13)

8
9 The perpetrators and conspirators said the victim was USAA Bank. They
10 admitted several times to deceiving the grand jury and trial jury into believing the
11 United States of America was the victim plaintiff. There clearly was no **offense**
12 **against the United States or the United States of America.** The United States of
13 America did not have standing. No one had jurisdiction.

14 **XIII) No Federal Jurisdiction**

15 How did perpetrators and coconspirators Thomas A.Varlan and C. Clifford
16 Shirley get subject matter and personal jurisdiction? Can they just decide
17 themselves they have jurisdiction? No, but that’s what they did.

18 Given the FBI did not have jurisdiction, and they appear to be the lead
19 perpetrators of this conspiracy, the US attorneys and district court certainly did not
20 have jurisdiction.

21 **Proceedings Before C. Clifford Shirley, Jr., October 18, 2017, P. 40-42, Line**
22 **20-25; 1-25; 1-2)**

23
24 Here’s perpetrator and conspirator C. Clifford Shirley’s position:

25
26 **THE COURT:** Are you aware that the district courts, like this one, **have original**
27 **jurisdiction over all criminal offenses against the laws of the United States by**
28 **statute?**

1 **MS. TUCCI-JARRAF:** When was that statute made and entered?

2
3 **THE COURT:** I don't know. **18 U.S. Code Section 3231**, I'm sure you're aware of
4 that, having gone to law school. Right?

5
6 **MS. TUCCI-JARRAF:** When was that actually entered? My point is, unless it's
7 dated after March 13th -- excuse me, March 18th, 2013, along with a newly issued
8 constitution and everything, I know they've already tried to reincorporate. All
9 of our people at BIS, they've tried to reincorporate the corporation, but they could
10 not.

11
12 **THE COURT:** So your position is that, even though that's been the law of the land
13 since the founding of the country, if it hasn't been redone since you filed your
14 financing statement, it's no good, it's not good law, the district courts do not have
15 original jurisdiction over all the criminal offenses against the United States?

16
17 **MS. TUCCI-JARRAF:** Well, the court never had original jurisdiction -- or the
18 United States is only a ten square mile, if you've been to D.C. And then as far as
19 branching it out, that's where the fraud has occurred under the old statutes.
20 I'm saying that at this point, the federal corporation does not exist. I have not
21 received any sworn documentation rebutting any of that to prove that it does exist.
22 And, you know, we're all having a conversation here, but none of it actually
23 counts, only because we still have not received the authority, sworn declaration,
24 sworn documentation, verified and validated by you or Anne-Marie Svolto or
25 Cynthia Davidson stating your authority and jurisdiction, so therefore,
26 we're just having a conversation here.

27
28 There are probably 99 reasons why perpetrators and conspirators Thomas A.

29 Varlan and C. Clifford Shirley did not have jurisdiction. Heather-

30 Ann:Tucci:Jarraf's UCC filings is certainly a big one. Here are a few more

31 reasons:

- 32 1) Federal question jurisdiction is one of the two ways for a federal court to
33 gain subject matter jurisdiction over a case - 28 U.S. Code § 1331 and the

1 other way is through diversity jurisdiction - 28 U.S. Code § 1332. (Att. #5,
2 #6 and #7). They both pertain to civil actions.

3 2) Court of Record -- According to 28 U.S. Code § 132(a). Creation and
4 composition of district courts – “a district court shall be a court of
5 record.” (Att. #8) A court of record must proceed according to common
6 law – not statute. In a court of record the judge does ministerial functions
7 and has no discretion in a court of record. He’s a referee. Here’s a
8 definition of “court of record:”

9 **DEFINITION**

10 A “court of record” is a judicial tribunal having attributes and exercising
11 functions independently of the person of the magistrate designated generally to
12 hold it, and proceeding according to the course of common law, its acts and
13 proceedings being enrolled for a perpetual memorial. Jones v. Jones, 188 Mo.App.
14 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc., Mass., 171, per Shaw, C. J.
15 See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689. (Black’s Law
16 Dictionary, 4th Edition, Pg. 426) (Att. #9.2)

17 **COMMON LAW.** That which derives its force and authority from the
18 universal consent and immemorial practice of the people. See Law, common.
19 (Bouvier Law Dictionary, 1856 Edition, Page 379)

1 **LAW, COMMON.** The common law is that which derives its force and
2 authority from the universal consent and immemorial practice of the people. **It has**
3 **never received the sanction of the legislature, by an express act, which is the**
4 **criterion by which it is distinguished from the statute law.** (Bouvier Law
5 Dictionary, 1856 Edition, Page 1039)

6 Perpetrators and coconspirators Thomas A Varlan and C. Clifford Shirley,
7 Jr. did not have the power and authority of law to do the particular acts they did.
8 That didn't matter to them because they had a role to fulfill as coconspirators, and
9 they were running a human trafficking court – not an Article III court or court of
10 record. It was not a court of competent jurisdiction.

11 3) **Lack of Standing** – In Lujan v. Defenders of Wildlife (90-1424), 504 U.S.

12 555 (1992), the Supreme Court created a three-part test to determine whether

13 a party has standing (<https://www.law.cornell.edu/wex/standing>):

- 14 a. The plaintiff must have **suffered an "injury in fact,"** meaning that the
15 injury is of a legally protected interest which is (a) concrete and
16 particularized and (b) actual or imminent.

17
18 Sean O'Malley of the New York Federal Reserve Bank made it clear –
19 **"there was no loss to the U.S. government"** (Heather-Ann:Tucci:Jarraf
20 Cross-examination of Sean O'Malley, Trial Transcript VOLUME 4, P.18,
21 Line 12-13)

- 22 b. There must be a causal connection between the injury and the conduct
23 brought before the court
24

1 c. It must be likely, rather than speculative, that a favorable decision by the
2 court will redress the injury. (Att. #25)

3 The Plaintiff, United States of America, did not have Article III standing.
4 They did not satisfy the standing doctrine's core requirement that they allege
5 personal injury fairly traceable to Randall-Keith:Beane and Heather-
6 Ann:Tucci:Jarraf. In fact, the "United States of America" is a piece of paper and
7 can't establish anything.

8 4) **No FBI Jurisdiction** – the perpetrators and coconspirators at the FBI did not
9 have jurisdiction. According to 18 USC 3052, the FBI can “make arrests
10 **without warrant for any offense against the United States committed in**
11 **their presence,”** or for a cognizable felony. No offense was committed
12 against the United States or the United States of America, and there was no
13 cognizable felony. (Att. #15 and 16.1) The perpetrators and conspirators
14 don't even use the word “felony.”

15 5) The perpetrators and conspirators tried to create an injury to gain standing
16 by tying the FDIC into their plot but the FDIC says – robberies and other
17 causes of disappearing funds are not insured by the FDIC. (Att.# 36)

18 <https://www.fdic.gov/deposit/covered/notinsured.html>
19
20
21
22
23
24

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Other situations not insured by the FDIC:

Safe Deposit Boxes - The contents of a safe deposit box are not insured by the FDIC. (Make sure you read the contract you signed with the bank when you rented the safe deposit box in the event that some other type of insurance is provided: some banks may make a very limited payment if the box or contents are damaged or destroyed, depending on the circumstances.) If you are concerned about the safety, or replacement, of items you have put in a safe deposit box, you may wish to consider purchasing fire and theft insurance. Usually such insurance is part of a homeowner's or tenant's insurance policy for a residence and its contents. Again, consult your insurance agent for more information.

In the event of a bank failure, in most cases an acquiring institution would take over the failed bank's offices, including locations with safe deposit boxes. If no acquirer can be found the FDIC would send boxholders instructions for removing the contents of their boxes.

Robberies and Other Thefts - Stolen funds may be covered by what's called a banker's blanket bond, which is a multi-purpose insurance policy a bank purchases to protect itself from fire, flood, earthquake, robbery, defalcation, embezzlement and other causes of disappearing funds. In any event, an occurrence such as a fire or bank robbery may result in a loss to the bank but should not result in a loss to the bank's customers.

Unauthorized access to your funds may be covered by the Electronic Funds Transfer Act and other consumer protections. If a third party somehow gains access to your account and transacts business you did not authorize, you must contact the bank as soon as you notice the loss to learn about their procedures for protecting your rights.

How to File a Complaint

If you have a problem or a concern with a deposit or investment, try to resolve your complaint directly with an officer of the bank or firm before involving an outside agency. Financial institutions value their customers and most will be helpful. If you are unable to resolve the matter with the financial institution, use the following guidelines to determine where to direct your complaint.

If your complaint is against a salesperson who represents a third-party investment firm, call the number below for instructions on where to write:

The Financial Industry Regulatory Authority (www.finra.org)
(formerly the National Association of Securities Dealers)
(301) 590-6500

If your complaint or inquiry is about a specific financial product or investment, contact:

Below are excerpts from perpetrator and conspirator Parker Still going on and on about a "bank robbery" and "stolen money -- neither of which occurred nor would be covered by the FDIC if they had occurred.

Cynthia F. Davidson Direct Examination of Parker Still, Trial Transcript, Volume I, P. 25-26, Line 24-25, 1-2

A All of a sudden, we have information that Buddy Gregg is going to turn it over or he is going to leave in this motor home. So, yeah, it was similar to a **bank robbery**. I grabbed Special Agent Jimmy Durand. We literally run towards the door."

1 Heather-Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial
2 Transcript Volume I, P. 57-58, Line 24-25; 1-3

3
4 A I think we're getting a little off track here. I mean, you know, **when an FBI**
5 **gets a call that a bank is getting robbed**, we don't sit there and say, "Hey, do you
6 know" – I mean, we don't ask a million questions. We go. That's what we did
7 today or did then."

8 Heather-Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial
9 Transcript Volume I, P. 64, Line 7-17

10
11 Q Okay. So on the 11th, you seized a motor home **which he had bought four**
12 **days prior** and paid cash for, but didn't grab the cash as well as part of the
13 evidence of a crime?

14
15 A No, ma'am. The – you know, you're getting into some legal stuff, you
16 know, whether you've got good faith purchasers and that kind of stuff. **We seized**
17 **the asset that was purchased with the stolen money. The victim bank, you**
18 **know – or USAA, and I think this is Whitney Bank who is the correspondent**
19 **bank, who actually received the money, you know, that's – I mean, I don't think**
20 **that money has been seized. I know it hasn't. That money has never been**
21 **seized.**"

22
23 Cynthia F. Davidson Direct Examination of Parker Still, Trial Transcript,
24 Volume I,, P. 24-25, Line 24-25, 1-3

25
26 A We know he used funds to purchase a – **used stolen funds to purchase an**
27 **RV.** We don't know anything else about, you know, what his ultimate intent with
28 that. It's 45 feet. You know, you can imagine our – what, you know – the
29 possibilities are unlimited." (You see how this slickster inflamed the jury by
30 **hinting at terrorism?** If he had bothered to speak with and interview Mr. Beane
31 he would have known his exact intentions. He simply wanted to plant the idea of
32 terrorism in the mind of the jurors.)

33
34 Cynthia F. Davidson Direct Examination of Parker Still, Trial Transcript,
35 Volume I, P. 30, Line 22-24

36
37 Q Do you recognize those pictures?
38

1 A Yes. That is the motor home that was – that Mr. Beane was on the day that
2 was purchased with stolen money.”

3
4 **Heather-Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial**
5 **Transcript Volume I, P. 45, Line 12-18**

6
7 Q But let’s go into the probable cause. That day, do you believe that you had
8 probable cause that day to arrest Randy Keith Beane?

9
10 A Without a doubt, ma’am. He is sitting in a vehicle purchased with stolen
11 money with the vehicle running. You better believe I had probable cause. I saw it
12 with my own two eyes.”

13
14 Probable cause is determined by the court—not the officer.

15
16 **Heather-Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial**
17 **Transcript Volume I, P. 48-49, Line 20-25, 1**

18
19 Q what actual information had you received that there was actually a possible
20 crime committed by Mr. Beane to believe that the RV wasn’t his?

21
22 A The information primarily from what I’ve stated from USAA at the time.
23 That’s what we were relying on, that information from USAA that is telling us
24 that their money has been stolen.”

25
26 **Heather-Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial**
27 **Transcript Volume I, P. 53-54, Line 25, 1-6**

28
29 Q Okay. So at no other time prior to that had you actually tried to figure out
30 whether that money could possibly be Mr. Beane’s?

31
32 A We had information from USAA, ma’am, that we – credible, reliable
33 information from their financial investigators that this money was stolen. That’s
34 what we were working with at the time.”

35
36 All of their squawking about “stolen money,” in a case where there was no
37 charge of robbery or theft, did not change the fact that there was no FDIC claim or
38 coverage – and no injury or standing.

1 6) **No Valid Arrest Warrant** – the arrest warrant the perpetrators and
2 coconspirators used on July 11, 2017 was a South Carolina statewide
3 misdemeanor traffic related bench warrant that had been disposed of two
4 years earlier. It was not a valid warrant. The warrants issued by the US
5 district court for Eastern Tennessee on July 19, 2017 were fraudulent and
6 fictitious signed. They were not signed by the then clerk, Debra Poplin. The
7 signer, “A. Brush” appears not to exist.

8 7) **Lack of Subject Matter and Personal Jurisdiction** –

9
10 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf challenged the
11 jurisdiction of the court. The court did not have jurisdiction to determine its
12 own jurisdiction. It did not have the power to act in the first place to have
13 the authority to decide the question.

14 8) **Denial of Due Process** –

15 When perpetrator and conspirator C. Clifford Shirley approved the
16 detention hearing waiver he failed to safeguard the legal process which
17 amounted to a denial of due process of law thereby depriving the court of
18 juris.

19 If jurisdiction does not exist there can be no valid judgment.

20 Perpetrators and coconspirators Thomas A. Varlan and C. Clifford Shirley
21 proceeded in excess of jurisdiction and they trespassed the law.

1 Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf were not arrested
2 – **they were kidnapped** – abducted! Kidnapping is a felony!

3 A judgment rendered by a court without personal jurisdiction over the
4 defendant is void. It is a nullity. Every judgment they made is a nullity.

5 Perpetrators and coconspirators Thomas A. Varlan and C. Clifford
6 Shirley clearly acted in a manner inconsistent with due process.

7 Perpetrators and coconspirators Thomas A. Varlan, Cynthia F.
8 Davidson and Ann-Marie Svolto all knew they did not have jurisdiction.
9 They moved to deny Mr. Beane and Mrs. Tucci:Jarraf the right to even
10 challenge jurisdiction. (Court Doc. 90, Att. #64.1, #64.2, #64.3)

11 Court Document 90 excerpt:

12
13 Accordingly, the Court hereby GRANTS the government's Motion in
14 Limine to Prohibit Jurisdictional Argument [Doc. 78]. It is therefore ORDERED
15 that the **defendants are prohibited from offering any evidence, testimony, or**
16 **argument at trial concerning the following subjects:**

- 17 • whether this Court has subject-matter jurisdiction over these
18 proceedings;
- 19
20 • whether the United States government is defaulted, has been foreclosed,
21 or is otherwise legally impaired; and
- 22
23 • whether the United States government has legal authority to bring a
24 prosecution of the defendants for the charged offenses. (Memorandum
25 Opinion and Order to the Government's Motion in Limine to Prohibit
26 Jurisdictional Argument, Doc. 90, P. 8, first paragraph) Att. #64.3

1 Perpetrator and coconspirator Thomas A. Varlan denied Randall-
2 Keith:Beane and Heather-Ann:Tucci:Jarraf the right to challenge jurisdiction.
3 This was not a rule of law court. It was a kangaroo court in which a plot and
4 conspiracy to falsely imprison Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf
5 was underway and each had to fulfill their role in the conspiracy. Make no mistake
6 about it, they all knew they did not have jurisdiction and that's why they moved to
7 cut off all argument regarding the matter. This was a network of corruption.

8 9) **Article III** -- **Section 2** (Att. #27)

9 The judicial power shall extend to...controversies to which the United
10 States shall be a party... (Att. #27)

11 Perpetrators and coconspirators Thomas A. Varlan and C. Clifford Shirley
12 weren't running an Article III court. It was a human trafficking court.

13 10) **18 U.S. Code § 3231** -

14 Perpetrators and coconspirators C. Clifford Shirley and Thomas A. Varlan
15 said their jurisdiction comes from congress and 18 USC § 3231. (Att. #24)
16 Congress cannot give power it does not have. Congress' power is finite as
17 enumerated in the constitution. If congress wants to do something beyond the
18 eighteen tasks enumerated in the constitution they must follow Article V and seek
19 to amend the constitution. This is how the law is made and changed.

1 There's no doubt they are fully aware congress' powers are limited by the
2 constitution to the following **eighteen tasks**:

- 3 • The Congress shall have power to lay and collect taxes, duties, imposts and
4 excises, to pay the debts and provide for the common defence and general
5 welfare of the United States; but all duties, imposts and excises shall be
6 uniform throughout the United States;
7
- 8 • To borrow money on the credit of the united states;
9
- 10 • To regulate commerce with foreign nations, and among the several states,
11 and with the Indian Tribes;
12
- 13 • To establish an uniform Rule of Naturalization, and uniform Laws on the
14 subject of Bankruptcies throughout the United States;
15
- 16 • To coin money, regulate the value thereof, and of foreign coin, and fix the
17 standard of weights and measures;
18
- 19 • To provide for the punishment of counterfeiting the securities and current
20 coin of the United States;
21
- 22 • To establish Post Offices and post roads;
23
- 24 • To promote the progress of science and useful arts, by securing for limited
25 times to authors and inventors the exclusive right to their respective writings
26 and discoveries;
27
- 28 • To constitute Tribunals inferior to the supreme court;
29
- 30 • To define and punish piracies and **felonies committed on the high seas**, and
31 offences against the Law of Nations;
32

- 1 • To declare war, grant letters of marque and reprisal, and make rules
2 concerning captures on land and water;
3
- 4 • To raise and support armies, but no appropriation of money to that use shall
5 be for a longer term than two years;
6
- 7 • To provide and maintain a navy;
8
- 9 • To make **rules for the government** and regulation of the land and naval
10 forces;
11
- 12 • To provide for calling forth the militia to execute the laws of the Union,
13 suppress insurrections and repel invasions;
14
- 15 • To provide for organizing, arming, and disciplining, the militia, and for
16 governing such part of them as may be employed in the Service of the
17 United States, reserving to the States respectively, the appointment of the
18 officers, and the authority of training the militia according to the discipline
19 prescribed by congress;
20
- 21 • To exercise exclusive Legislation in all cases whatsoever, over such district
22 (not exceeding ten miles square) as may, by cession of particular states, and
23 the acceptance of congress, become the seat of the government of the United
24 States, and to exercise like authority over all places purchased by the consent
25 of the legislature of the state in which the same shall be, for the erection of
26 forts, magazines, arsenals, dock-yards, and other needful buildings; and
27
- 28 • **To make all laws which shall be necessary and proper for carrying into**
29 **execution the foregoing powers**, and all other powers vested by this
30 constitution in the government of the United States, or in any department or
31 officer thereof. (Att. #28)

32 If perpetrators and coconspirators C. Clifford Shirley and Thomas A. Varlan

33 believe their “congressional jurisdiction” comes from task #9 (“To constitute

1 Tribunals inferior to the supreme court") they would be wrong. Task #9 involves
2 setting up Article I legislative courts with regard to carrying out the other 17 tasks.
3 The jurisdiction with which congress is invested is not a part of the judicial power
4 which is defined in Article III of the constitution. Constitutional courts exercise
5 the judicial power described in Art. III of the Constitution; legislative courts do
6 not.

7 Perpetrators and coconspirators C. Clifford Shirley and Thomas A. Varlan
8 did not get jurisdiction from 18 USC § 3231. "... Congress cannot by
9 authorization or ratification give the slightest effect to a state law or constitution
10 which is in conflict with the Constitution of the United States." (16Am Jur 2d.,
11 Sec. 258) "It is a proposition too plain to be contested, that the constitution
12 controls any legislative act repugnant to it; or, that the legislature may alter the
13 constitution by an ordinary act." (William Marbury v. James Madison, Secretary
14 of State of the United States, 5 U.S. 137, 1 Cranch 137, 2 L.Ed, 60 (1803)) "All
15 laws, rules and practices which are repugnant to the Constitution are null and void.
16 (Marbury v. Madison, 5th US (2 Cranch) 137, 180)

17 11) 1 US Code § 204 (Code and Supplements as Evidence of the Law –
18 1 U.S. Code § 112 (Statutes at Large; contents; admissibility in evidence –
19 (Att. #19 and 20)
20

21 Corporations cannot create law so they create code. Code is not law. The
22 US Code is evidence of the law, it is not the law. US Code is a creation of the

1 corporate congress and applies under congresses task #14 (“To make rules for the
2 government...”) to those in positions of emolument and those who have acted
3 against the United States corporation.

4 According to U.S. v. Lee, “Where there is no jurisdiction, there can be no
5 discretion;” All the officers of the government, from the highest to the lowest, are
6 creatures of the law and are bound to obey it.... It is the only supreme power in our
7 system of government, and every man who, by accepting office participates in its
8 functions, is only the more strongly bound to submit to that supremacy, and to
9 observe the limitations which it imposes on the exercise of the authority which it
10 gives.” (U.S. v. Lee, 106 U.S. 196, 220 1 S. Ct. 240, 261, 27 L. Ed 171; 1882)

11 Perpetrators and coconspirators Cynthia F. Davidson, Anne-Marie Svolto, C.
12 Clifford Shirley and Thomas A. Varlan did not cite law in the indictment (Att.
13 #71.1-71.8), the fake arrest warrants (Att. #3 and #4), or the jurisdiction report and
14 recommendation (Court Doc. 62 filed 11/16/17).

15 1 USC § 204 tells us -- **Codes** and Supplements **as evidence of the laws of**
16 **United States.** 1 U.S. Code § 112. Statutes at Large; contents; admissibility in
17 evidence -- **“The United States Statutes at Large shall be legal evidence of**
18 **laws...”**

19 Evidence of a law is not the law. If there is a law saying perpetrators and
20 coconspirators Cynthia F. Davidson, Anne-Marie Svolto, Thomas A. Varlan, and

1 C. Clifford Shirley could do what they did to Randall-Keith:Beane and Heather-
2 Ann:Tucci:Jarraf they should have cited the **actual law** – not evidence of the law.
3 Evidence of the law is not the law.

4 12) Perpetrators and conspirators Thomas A. Varlan and C. Clifford Shirley had
5 no lawful reason to reject Mrs. Tucci:Jarraf's assertion that the corporate United
6 States does not exist and therefore there was no lawful authority for the
7 proceedings. They simply rejected the claim and proceeded to trespass the law.
8 The fact of the matter is even if they believed they had legitimate reason to reject
9 Mrs. Tucci:Jarraf's UCC filings, which they did not, they still violated the codes
10 and rules. The perpetrators and conspirators did not have subject matter or
11 personal jurisdiction no matter which way you look at it.

12 **XIV) (A) No Probable Cause – (B) Denial of Due Process – (C) Denial**
13 **of Detention Hearing**

14 **(A) No Probable Cause**

15 There was no probable cause hearing. There was no first-hand statement of
16 personal knowledge of any wrong doing. This is why they couldn't get an arrest
17 warrant until perpetrator and coconspirator Parker Still testified before the grand
18 jury. It was easier to get an indictment then to go before a magistrate or judge
19 knowing they did not have probable cause. In his grand jury and trial testimony
20 perpetrator and conspirator Parker Still had no first-hand knowledge of anything.

1 He makes it very clear he relied on USAA Bank, and he was simply repeating what
2 they had told him. Grand jury and trial excerpts:

3 Q ...the USAA fraud investigator has reviewed these extensively and
4 relayed all the information that you've previously testified about?
5

6 A Right. **I rely on it.**" (Grand Jury Transcript, P. 46, Line 3-6 – Att.
7 #29.5)
8

9 A **The information** primarily from what I've stated **from USAA at the**
10 **time. That's what we were relying on...** ((Heather-
11 Ann:Tucci:Jarraf Cross Examination of Parker Still Trial Transcript,
12 Volume I, P. 48, Line 23-24)
13

14 A **Have absolutely no reason to doubt, as I said earlier, anything**
15 **that Mr. Brown or USAA was relaying to us.**" ((Heather-
16 Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial Transcript,
17 Volume I, P. 51, line 23-25)
18

19 A **I was relying on information that I had from USAA.**" (Heather-
20 Ann:Tucci:Jarraf Cross Examination of Parker Still Trial Transcript,
21 Volume I, P. 61, Line 5-6)
22

23 A **I was relying on information that was provided to me.**" (Heather-
24 Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial Transcript,
25 Volume I, P. 66, Line 24-25)
26

27 Why didn't True Brown, the USAA fraud investigator/director whom

28 perpetrator and conspirator Parker Still relied on for "the story" testify before the

29 grand jury since he was the one with direct knowledge of the alleged "crime?" He

30 didn't testify because they were all lying through their teeth. He would have had to

31 explain how someone could use an account number altered by one digit to

32 successfully complete a transaction. He would have had to explain how someone

1 could access \$31 million from a “fictitious bank account.” The conspiracy
2 required the FBI and US attorney perpetrators and conspirators shield USAA
3 Bank, their employees, and their lies.

4 Rule 3.8(a) (Special Responsibilities of a Prosecutor of the Tennessee rules
5 of Professional Conduct) says: “The prosecutor in a criminal case shall refrain
6 from prosecuting a charge that the prosecutor knows is not supported by probable
7 cause.” FBI and US Attorney perpetrators and coconspirators made sure there was
8 no probable cause hearing. They violated due process of law.

9 **(B) Denial of Due Process**

10 Mr. Beane had the right to due process of law with notice and opportunity to
11 defend. He did not receive due process. FBI perpetrator and coconspirator Parker
12 Still said he had no reason to doubt the information provided by True Brown and
13 USAA Bank. (Att. #30.2) He said, “I rely on it.” (Att. #29.5) He saw no need to
14 do any fact-finding, or test the credibility and reliability of the evidence given to
15 him by True Brown and USAA Bank. The FBI and US Attorneys allowed USAA
16 Bank to create the doctored evidentiary record and they ran with it no questions
17 asked. Why? It was a plot and conspiracy.

18 By the due process clause, the common law governs what the law on arrest is
19 in this land. Due process is not determined by the legislature or the officer. There
20 can be no arrest without due process of law. An arrest without a warrant is

1 regarded as unlawful except when public security is at risk. It was said in Hale v.
2 Henkel that a man “is entitled to carry on his private business in his own way.
3 His power to contract is unlimited. He owes no duty to the State or to his
4 neighbors to divulge his business, or to open his doors to an investigation, so far
5 as it may tend to criminate him. He owes no such duty to the State, since he
6 receives nothing therefrom beyond the protection of his life and property. His
7 rights are such as existed by the law of the land long antecedent to the
8 organization of the State, and can only be taken from him by due process of law,
9 and in accordance with the Constitution. Among his rights are a refusal to
10 incriminate himself and the immunity of himself and his property from arrest
11 or seizure except under a warrant of the law. He owes nothing to the public so
12 long as he does not trespass upon their rights.” (Hale v. Henkel, 201 U.S. 43
13 (1906)) “The due process clause of the constitution protects Americans from
14 unlawful arrests.” (State v. Quinn, 97 S.E. 62, 64, (S.C. 1918) There was no
15 valid warrant issued by a court or magistrate to arrest Randall-Keith:Beane on July
16 11, 2017.

17 “Judgments entered where court lacked either subject matter or personal
18 jurisdiction, or that were otherwise entered in violation of due process of law, must
19 be set aside”, Jaffe and Asher v. Van Brunt, S.D.N.Y.1994. 158 F.R.D. 278.

20 (C) Denial of Detention Hearing

1 Randall-Keith:Beane was denied a detention hearing. According to 18 U.S.
2
3 Code § 3142, release or detention of a defendant pending trial:
4

5 **(e) DETENTION.— (1) If, after a hearing** pursuant to the provisions of
6 subsection (f) of this section, the judicial officer finds that no condition or
7 combination of conditions will reasonably assure the appearance of the person as
8 required and the safety of any other person and the community, such judicial
9 officer shall order the detention of the person before trial.

10 The perpetrators and coconspirators didn't allow Randall-Keith:Beane to
11 have a detention hearing because they knew they did not have lawful justification
12 for detaining him. It was always part of their plan to keep him jailed so that he
13 could not access information to defend himself.

14 On July 11, 2017 perpetrators and coconspirators Parker Still, Jimmy
15 Durand, Jason Pack, Joelle Vehec (The FBI), D.T. Harnett, FBI Task Force Office,
16 and Knoxville County Sheriff Deputy beat up, publicly humiliated, unlawfully
17 arrested, and detained Randall-Keith:Beane. They did not provide a prompt
18 judicial determination with regard to probable cause and detention.

19 Mr. Beane sat in jail for **17 DAYS** after the perpetrators and coconspirators
20 arrested him July 11, 2017 using a South Carolina statewide misdemeanor traffic
21 related bench warrant that had been disposed of two years earlier. On July 27,
22 2017 Mr. Beane signed, under duress, a temporary "waiver of detention hearing."

1 Mr. Beane had already been sitting in jail from July 11th to July 27th without ever
2 having seen a judge for a detention hearing or a probable cause hearing.

3 The jailers and Bobby Hutson, Jr. (Tennessee Public Defender appointed for
4 Randall-Keith:Beane by United States Magistrate Judge C. Clifford Shirley, Jr.)
5 forced Randall-Keith:Beane to sign a temporary “waiver of detention” to get
6 around the requirements of 18 U.S. Code § 3142. They were determined to never
7 release Mr. Beane so they violated section 3142 to keep him detained. The bottom
8 line is regardless of the “waiver,” either they had a lawful reason to detain Mr.
9 Beane or they didn’t. One cannot give consent for an unlawful deprivation of
10 liberty. This wasn’t an agreement to stay at the Trump Hotel, The Hilton or
11 Marriott. It was a jail! Only a brainless idiot would believe someone would agree
12 to stay in jail when they didn’t have to. Mr. Beane signed the temporary detention
13 waiver on July 27, 2017 (having been unlawfully jailed since July 11th – 17 days)
14 because they made it clear harm would come to him if he didn’t. Can you even
15 imagine the pressure they likely put on Mr. Beane to sign the detention waiver to
16 cover their backside? They would not have prevailed in a detention hearing. The
17 law would have forced them to release Mr. Beane. They had to get Mr. Beane to
18 sign that detention waiver and you can just imagine how they went about doing it.
19 Please keep in mind, they had already elbowed Mr. Beane in the head to the point
20 of bleeding (Att. #34.6, #34.7), pulled down his pants and made him stand

1 handcuffed in his underwear in the hot July Tennessee sun for 45 minutes to an
2 hour with onlookers gawking, twisted his arm, gave him a black eye, bruised his
3 body, and cut off his oxygen supply by strangulation until he cried out “I can’t
4 breathe.” (Att. #34.5, #34.6, #34.7) They couldn’t risk releasing Mr. Beane and
5 him discovering the conspiracy against himself and Heather-Ann:Tucci:Jarraf.
6 They couldn’t risk him having access to research. They couldn’t risk him finding
7 out the arrest warrants were fake – invalid – VOID! They had to use coercion to
8 get him to sign that detention waiver. (Att. #22)

9 Perpetrator and conspirator Bobby Hutson, Jr. was supposed to be
10 representing Mr. Beane but he was, in fact, part of the conspiracy plot to lock Mr.
11 Beane away for a very long time. Perpetrator and conspirator C. Clifford Shirley,
12 the magistrate judge, approved the waiver knowing it was a violation of due
13 process. He knew Mr. Beane signed the waiver under duress.

1 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

2 UNITED STATES OF AMERICA)

3) 3:17-CR-82
4)

5 RANDALL KEITH BEANE)

6 WAIVER OF DETENTION HEARING

7 I acknowledge that the Magistrate Judge has informed me of my right to a
8 detention hearing, pursuant to the provisions of Title 18, United States Code, Section
9 3142, and that I understand that right.

10 I HEREBY WAIVE my right to a detention hearing.

11 I HEREBY WAIVE my right to a detention hearing in this district, and reserve
12 the right to move for a detention hearing in the district where the charges
13 originate.

14 X I HEREBY WAIVE my right to a detention hearing at this time, and reserve
15 the right to move for detention hearing at a later date.

16 Randy Beane
DEFENDANT

17 7/27/17
Date

18 [Signature]
COUNSEL FOR DEFENDANT or Deputy Clerk

19 APPROVED: [Signature]
United States Magistrate Judge

20 Forcing Mr. Beane to sign a waiver of detention hearing was coercion as
21 defined in 22 U.S. Code § 7102 (3) “COERCION The term “coercion” means—(A)
22 threats of serious harm to or physical restraint against any person; (B) any scheme,
23 plan, or pattern intended to cause a person to believe that failure to perform an act
24 would result in serious harm to or physical restraint against any person; “ (Att.
25 #22)

26 Randall-Keith:Beane requested a hearing to dismiss the public defender, Mr.
27 Hutson, and present himself. The hearing occurred August 29, 2017 before
28 perpetrator and coconspirator C. Clifford Shirley, Jr. Mr. Beane had been detained
29

1 for approximately 48 days without a detention hearing. During that hearing Mr.
2 Hutson communicated Mr. Beane's desire for a detention hearing.

3 Hearing excerpt:

4 Proceedings Before C. Clifford Shirley, Jr., August 29, 2017 Document 40, P.
5 9, Line 11-14 (Att. #61.2)
6

7 **MR. HUTSON:** I understand, Your Honor. He is also potentially going to want to
8 request some type of detention hearing or update.

9
10 **THE COURT:** We can't get started, we can't get to that.

11 Perpetrator and coconspirator C. Clifford Shirley's response was "we can't
12 get to that." He had detained Mr. Beane for approximately **48 days** at that point
13 but he couldn't get to that? He didn't want to get to it because he had no intention
14 of releasing Mr. Beane. Perpetrator and conspirator C. Clifford Shirley knew he
15 was violating due process by unlawfully detaining Mr. Beane and he did it anyway.
16 He could have said we'll schedule it at the end of this hearing but he didn't want to
17 do that because he had no intention of allowing Mr. Beane to have a detention
18 hearing. He knew he would have to release Mr. Beane if they had a detention
19 hearing because he had no lawful reason for detaining him. Perpetrator and
20 conspirator C. Clifford Shirley violated due process by denying Randall-
21 Keith:Beane a detention hearing. He knowingly continued to unlawfully detain
22 Mr. Beane.

1 Rule 8 of the Tennessee rules of Professional Conduct states, "...a lawyer
2 zealously asserts the client's position." Not Bobby Hutson, Jr. He **pretended** to
3 represent Mr. Beane. He was, in fact, Mr. Beane's enemy.

4 Rule 3.8(c) (Special Responsibilities of a Prosecutor) states – "The
5 prosecutor in a criminal case shall not advise an unrepresented accused to waive
6 important pretrial rights." To make sure Mr. Beane was not "unrepresented,"
7 Bobby Hutson, Jr. was moved into position and forced upon Mr. Beane to make it
8 look on paper like Mr. Beane was represented when, in reality, perpetrator and
9 conspirator, Bobby Hutson, Jr. was working for Mr. Beane's enemies. No
10 competent, ethical, honest attorney-at-law would allow his client to waive a
11 detention hearing.

12 Perpetrator and conspirator Bobby Hutson participated in forcing Mr. Beane
13 to sign the detention hearing waiver. Perpetrators and coconspirators Cynthia
14 Davidson, Anne-Marie Svolto (prosecutors), Thomas A Varlan and C. Clifford
15 Shirley (US District Judges) were right there playing their role in the conspiracy.
16 Perpetrator and conspirator C. Clifford Shirley actually approved the waiver. They
17 all collectively gave the finger to due process and the law of the land – the
18 Constitution.

19 The Code of Conduct for United States Judges says: "(A) *Respect for Law*.
20 A judge should respect **and comply with the law** and should act at all times in a

1 manner that promotes public confidence in the integrity and impartiality of the
2 judiciary.” Perpetrator and coconspirators Thomas A. Varlan and C. Clifford
3 Shirley did not show respect for the law and certainly did not comply with the law.

4 **LAW OF THE LAND.** Due process of law (*q. v.*). By the law of
5 the land is most clearly intended the general law which hears before it condemns,
6 which proceeds upon inquiry, and renders judgment only after trial. Dupuy v.
7 Tedora, 204 La. 560, 15 So.2d 886, 891. The meaning is that every citizen shall
8 hold his life, liberty, property, and immunities under the protection of general rules
9 which govern society. Rich Hill Coal Co. v. Bra-Estate, 30 Cal.App.2d 525, 86
10 P.2d 883, 885. **Everything which may pass under the form of an enactment**
11 **is not the law of the land.** Sedg.St. & Const.Law, (2d Ed.) 475. (Black’s Law
12 Dictionary, 4th Edition, P. 1031-1032)

13 **XV) (A) Prosecutorial Misconduct (Improper and Illegal Acts to**
14 **Wrongly Persuade the Grand Jury and Trial Jury to Indict and Convict) (B)**
15 **Fraud Upon the Court – (C) Wrongful Selective Prosecution**

16
17 **(A) Prosecutorial Misconduct**

18
19 Perpetrators and conspirators Cynthia F. Davidson and Anne-Marie Svolto
20 engaged in illegal and unlawful acts to persuade the jury to wrongly indict and
21 convict Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf. They offered the jury
22 materially false, fictitious, and fraudulent information, statements, and
23 representations starting with misleading the trial jury by pretending to be

prosecutors when they actually appeared “For the Plaintiff” – United States of America Corporation. (Att. #30.1) Also, for example:

- 1) Perpetrators and coconspirators Cynthia F. Davidson and Anne-Marie Svolto misled the grand jury and trial jury to believe Randall-Keith:Beane used an account number other than his social security account number to access his treasury direct depository account.
- 2) Perpetrators and coconspirators Cynthia F. Davidson and Anne-Marie Svolto encouraged witnesses to lie about Randall-Keith:Beane’s social security account number.
- 3) Perpetrators and coconspirators Cynthia F. Davidson and Anne-Marie Svolto lied to the grand jury and trial jury about the South Carolina statewide traffic related bench warrant. They concealed the fact it was NOT an active warrant and it was NOT a national or international warrant. (Att.#1.2 and #2.1)
- 4) Perpetrators and coconspirators Cynthia F. Davidson and Anne-Marie Svolto were aware of the creation of fraudulent Tennessee district court arrest warrants with a fictitious signature. (Att. #3 and #4)
- 5) Perpetrators and conspirators Cynthia F. Davidson and Anne-Marie Svolto misled the grand jury and trial jury about the legal definition of “money laundering,” “affect interstate commerce,” and “fraud.”
- 6) Perpetrators and coconspirators Cynthia F. Davidson and Anne-Marie Svolto misled the grand jury and trial jury about the injury Randall-Keith:Beane sustained at the vicious hands of other perpetrators and conspirators calling a bleeding cut on the head a scratch. There is a big difference between the two.
- 7) Perpetrators and coconspirators Cynthia F. Davidson and Anne-Marie Svolto were aware there was no probable cause hearing and no detention hearing. Perpetrators and conspirators Cynthia F. Davidson and Anne-Marie Svolto failed to act when they learned about no probable cause hearing and the detention hearing waiver. Rule 8 of the Tennessee Rules of Professional Conduct, specifically Rule 3.8 (Special Responsibilities of a

Prosecutor) makes it clear (a) shall refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause; (c) shall not advise an unrepresented accused to waive important pretrial rights.”

Randall-Keith:Beane was aware Bobby Hutson, Jr. was not appointed to represent Mr. Beane’s interests and that is why he had Mr. Hutson removed from the case during a proceeding before C. Clifford Shirley – “Mr. Beane asked the Court to remove counsel from his case. He asserts that he does not have confidence in the legal advice provided by myself, and that he does not feel that I am effectively representing him in this proceeding.” (Proceedings Before C. Clifford Shirley, Jr., August 29, 2017, Doc. 40, P. 3, Line 3-7) Perpetrator and conspirator Bobby Hutson, Jr. had Mr. Beane sign a detention hearing waiver under duress and they all knew it. Of course he was not vigorously representing Mr. Beane. He was playing his role in the conspiracy.

- 8) Perpetrators and conspirators Cynthia F. Davidson and Anne-Marie Svolto failed to act when the following statements were made to the grand jury and trial jury:

“We have subsequently learned that possibly, again, speculating, that that comment meant, **“Military Operations,” to try to remove Mr. Beane from the Knox County Detention Center.** That’s what, again, what I deduct.” (Grand Jury Transcript, P. 56-57, Line 25; 1-3)

Who was Heather-Ann:Tucci:Jarraf going to command break Randall—Keith: Beane out of jail? The Marines? Seal Team? Rangers? Night Stalkers? Green Berets? Perpetrator and conspirator Parker Still has military JAG experience so he knew Mrs. Tucci:Jarraf was not planning a military operation to remove Mr. Beane from jail.

Heather-Ann:Tucci:Jarraf Cross-Examination of Parker Still, Trial Transcript, Volume I, P. 39, Line 11-15

Q Okay. So, Mr. Still, you stated that you've been with the FBI for five and a half years and that seven and a half years with private attorney and military JAG?

A That's correct, yes, ma'am. All approximately, yes, ma'am.

1 In furtherance of the conspiracy perpetrator and conspirator Parker Still
2 painted Heather-Ann:Tucci:Jarraf as a criminal planning a jail break and
3 perpetrator and coconspirators Cynthia F. Davidson and Anne-Marie Svolto
4 allowed the deceptive dishonest prejudicial statement as part of their plot.

5 9) **Cynthia F. Davidson Direct Examination of Parker Still, Trial**
6 **Transcript, Volume I, P. 26, Line 1**
7

8 “So, yeah, it was similar to a **bank robbery.**” (Parker Still, Trial
9 Transcript, Volume I, P. 26, Line 1)
10

11 There was no bank robbery charge. This was one of many calculated statements
12 meant to mislead and deceive the jury.
13

14 **Heather-Ann:Tucci:Jarraf Cross Examination of Parker Still, Trial**
15 **Transcript Volume I, P. 58, Line 4-7, 12**
16

17 Q When a bank gets robbed, do you usually have a bank robber
18 and a banker and a gun or some kind of weapon and cash? **You're**
19 **talking about, per Ms. Svolto's opening statement, that he was**
20 **robbing a bank?**
21

22 A Yes, ma'am.
23

24 Now we know why perpetrator and coconspirator Thomas A. Varlan didn't
25 allow the opening and closing statements to be transcribed. Perpetrator and
26 coconspirator Anne-Marie Svolto told the jury Randall-Keith:Beane robbed a bank
27 in her opening statement. There was no robbery charge.
28

29 10) Perpetrators and coconspirators told the trial jury Randall-
30 Keith:Beane stole a motor home. The truth is Mr. Beane was handed the
31 keys upon completion of a legal and lawful purchase.

32 To justify why perpetrator and coconspirator Parker Still seized (stole)
33 private property without a seizure warrant, he said this -- “...**the keys are going to**
34 **be turned over to him at Buddy Gregg, we had to react.** (Parker Still Trial
35 Testimony, Volume I, P. 62, Line 22-23) In other words, perpetrator and

1 conspirator Parker Still wanted to illegally and unlawfully seize the motorhome
2 BEFORE Mr. Beane could take possession of it. He went on to say Mr. Beane had
3 – “**Stolen motor home**” when in reality it was perpetrator and coconspirator
4 Parker Still who stole the motor home. He did not have a search and seizure
5 warrant. (Parker Still Trial Testimony, Volume I, P. 63, Line 25)

6
7 The keys were given to Mr. Beane because he made a legal and lawful
8 purchase. He did not steal a motorhome. There was no charge for a stolen
9 motorhome. Did perpetrator and coconspirators Cynthia F. Davidson and Anne-
10 Marie Svolto correct the record for the jury? No.

11
12 11) Perpetrator and coconspirators Parker Still, Cynthia F. Davidson, and
13 Anne-Marie Svolto misrepresented to the grand jury and trial jury the role of
14 the FDIC. They implied the FDIC had something to do with the case when
15 it did not. There was no FDIC claim filed for loss. The FDIC does not
16 handle money loss due to robbery and other theft. Sean O'Malley of the NY
17 Federal Reserve Bank testified, “there was no loss to the U.S. government.”
18 (Att. #33.2)

19
20 12) Perpetrator and conspirator Sean O'Malley misrepresented to the trial
21 jury that the New York Federal Reserve Bank is part of the United States
22 government and perpetrator and coconspirators Cynthia F. Davidson and
23 Anne-Marie Svolto did not correct the record for the jury. They allowed
24 him to attach the New York Federal Reserve bank criminal enterprise to the
25 people's Republic government to give it credibility it does not deserve.

26
27 Excerpt from the trial transcript:

28 **Heather-Ann:Tucci:Jarraf Cross Examination of Sean O'Malley, Trial**
29 **Transcript VOLUME 3, Pg.220, Line 10-18**

30
31 A -- looking at, the way I look at the Federal Reserve, **it's an instrumentality**
32 **of the United States created by Congress. So it's owned by the people of the**
33 **United States**. That's my understanding of how the Federal Reserve is, even the
34 reserve banks. There are shareholders. The banks have reserves there and then
35 they're shareholders. **But it's not as you are trying to equate that this is like a**
36 **private bank in any sort of way. It's not a private bank. It's a public**
37 **institution**.

1 In Lewis vs. U.S., the Court of Appeals, Ninth Circuit, examined the
2 organization and function of the Federal Reserve Banks and they concluded
3 "Reserve Banks are not federal instrumentalities for purposes of the FTCA, but are
4 independent, privately owned and locally controlled corporations." (Lewis vs.
5 U.S., 680 F. 2d 1239, 1241) Perpetrator and coconspirator Sean O'Malley knew
6 he was lying to the jury and gallery.

7
8 According to 12 U.S. Code § 341. General enumeration of powers, "Upon
9 the filing of the organization certificate with the Comptroller of
10 the Currency a Federal reserve bank shall become a body corporate..."

11 DEFINITION

12
13
14 BODY CORPORATE. A corporation public or private. (Black's Law
15 Dictionary, 4th Edition, P. 222)

16
17 Public and private. A public corporation is one created by the state for
18 political purposes and to act as an agency in the administration of civil
19 government, (Black's Law Dictionary, 4th Edition, P. 409)

20
21 Private corporations are those founded by and composed of private individuals,
22 for private purposes, as distinguished from governmental purposes, and having no
23 political or governmental franchises or duties. (Black's Law Dictionary, 4th
24 Edition, P. 409-410)

25
26 There's no doubt Federal Reserve banks are private corporations. Federal
27 Reserve banks are not government entities or instrumentalities. It is a private
28 entity whose sole mission has been to enslave mankind. They achieved this by
29 replacing lawful money (gold and silver) with fiat money – "funds."

30
31 13) They misled the jury with jury instructions

32 UNITED STATES'S REQUESTED JURY INSTRUCTIONS

33 Instruction number 3:

34 "It is not necessary that the government prove all of the details alleged
35 concerning the precise nature and purpose of the scheme or that the material
36 transmitted by wire, radio or television communications was itself false or
37 fraudulent or that the alleged scheme actually succeeded in defrauding anyone or

1 that the use of the wire, radio or television communications was intended as the
2 specific or exclusive means of accomplishing the alleged fraud or that someone
3 relied on the misrepresentation or false statement or that the defendant obtained
4 money or property for his own benefit.”

5 Well if the prosecutors didn’t have to prove any of these things what did
6 they have to prove? If they did not have to prove that anyone was actually
7 defrauded then THERE WAS NO FRAUD!

8 Toward the end of trial transcript volume V the judge went over jury
9 instructions. He referenced a document that was 50+ pages. Four charges and 50+
10 pages of jury instructions? That’s a lot. Was the intention to make sure the jury
11 didn’t read them? They charged four sections of the US Code.

12 A) §1343. Fraud by wire, radio, or television -- Whoever, having devised or
13 intending to devise any scheme or artifice to defraud... The question in
14 this charge for the jury should have been –

- 15
- 16 • Did the prosecution’s evidence show beyond a reasonable doubt that
17 Randall-Keith:Beane intended to devise any scheme or artifice to
18 defraud with criminal intent? That’s the jury instruction. It’s
19 already inside the code charged.

20 ARTIFICE. An ingenious contrivance...trick or fraud. (Black’s Law
21 Dictionary, 4th Edition, P. 145)

22

23 B) §1344. Bank fraud -- Whoever knowingly executes, or attempts to
24 execute, a scheme or artifice-(1) to defraud a financial institution...

- 25
- 26 • An honest jury instruction – Did the prosecution’s evidence show
27 beyond a reasonable doubt that Randall-Keith:Beane knowingly
28 executed, or attempted to execute a scheme or artifice with criminal
29 intent?

30

31 C) §1956. Laundering of monetary instruments -- (a)(1) Whoever, knowing
32 that the property involved in a financial transaction represents the proceeds
33 of some form of unlawful activity, conducts or attempts to conduct such a
34 financial transaction which in fact involves the proceeds of specified

unlawful activity- (A)(i) with the intent to promote the carrying on of specified unlawful activity; --

- **An honest jury instruction** – Did the prosecution’s evidence show beyond a reasonable doubt that Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf:

(1) know the property involved in the financial transaction represented the proceeds of some form of unlawful activity and yet they proceeded with criminal intent?

(2) conducted or attempted to conduct the financial transaction with criminal intent knowing it involved the proceeds of unlawful activity?

(1) Had the intent to carry out a specified unlawful activity?

D) §1957. Engaging in monetary transactions in property derived from specified unlawful activity -- Whoever, in any of the circumstances set forth in subsection (d), knowingly engages or attempts to engage in a monetary transaction in criminally derived property of a value greater than \$10,000 and is derived from specified unlawful activity ...

- **An honest jury instruction** – (1) Did the prosecution’s evidence show beyond a reasonable doubt that Randall-Keith:Beane and Heather-Ann:Tucci:Jarraf knowingly engaged or attempted to engage in a monetary transaction in criminally derived property with criminal intent? (2) Did the prosecution’s evidence show beyond a reasonable doubt that the property was derived from unlawful activity with the intent to commit a crime?

The jury instruction is inside the code charged. There’s no need to make it any more complicated than that unless you’re up to no good. When you take what should be five to ten pages of jury instructions, which should include legal definitions of the key words and procedural requirements, and turn it into 50-100 pages you are DEFINITELY up to no good.

At no time during the grand jury hearing or trial did the perpetrators and conspirators state that Mr. Beane accessing his treasury direct depository account was unlawful activity. What they did was tell a BIG FAT LIE that he altered his

1 social security account number by one digit to make it seem as if he had accessed
2 someone else's account. They flat out lied to the grand jury and trial jury.

3 There's nothing in any of the charges about "good faith" and yet
4 perpetrator and coconspirator Thomas A. Varlan took it upon himself to put it in
5 the jury instructions. Why? Good faith is a totally different standard and has a
6 negative undertone. Good faith is a uniform commercial code standard. Good
7 faith is a very different standard than mens rea which means- "guilty mind,"
8 "knowing," "intending," "intended," "knowingly."

9 Why would Randall-Keith:Beane's elbow counsel, Stephen G. McGrath,
10 push for a "good faith" defense instruction rather than a mens rea defense
11 instruction? He wasn't vigorously advocating for Mr. Beane's best interest. They
12 each played their role in the conspiracy to reach the ultimate goal of conviction and
13 imprisonment.

14 Trial excerpt:

15 **Trial Transcript, Volume V, P. 282, Line 15-20**

16
17 **MS. DAVIDSON:** And, Your Honor, we object to the **good-faith defense**. The
18 defendant has not asked for it. I'm not sure that it's applicable in this case.

19
20 **THE COURT:** All right. What page – what page is that?

21
22 **MS. DAVIDSON:** That's on page 34

23
24 **Trial Transcript, Volume V, P. 284-285, Line 2-25, 1**

25 **THE COURT:** Mr. Beane, I'll ask you if you have any comment to the jury's --
26 I'm sorry -- to the government's request not to include the good-faith defense. This
27 only relates to the fraud, which is only the counts directed to you in the Indictment.
28 So looking at page 34, do you have a response to the government's request or
29 objection not to include the **good-faith defense** charge?

30
31 **MR. MC GRATH:** May I have just a moment with Mr. Beane?

32
33 **THE COURT:** Yes.

34

1 **MR. MC GRATH:** Thank you, Judge. (A discussion was had off the record
2 between Defendant Beane and his counsel.)

3
4 **MR. MC GRATH:** I appreciate the Court's and everyone's patience. Looking
5 over it, we'll have a chance to go over this again to see if he wants to change his
6 mind about any additions, changes or comments.

7
8 **THE COURT:** All right. So, I guess, you mean to the charge -- right now I'm only
9 asking about page 34.

10
11 **MR. MC GRATH:** Oh, yeah, yeah. I just wanted to look that over real quick.

12 **Trial Transcript, Volume V, P. 290, Line 1-5, 11-20**

13 **THE COURT:** Mr. Beane, subject to any -- subject to your response to the
14 government's objection as to including a **good-faith defense**, are there any other
15 objections or comments from you as a defendant to any other aspects of the jury
16 charge?

17 **MR. MC GRATH:** Yes. Page 34 and 35, the fraud and the good-faith defense,
18 there would be an objection. I think that's -- my client believes that is needed in
19 there. He's spoken to his intent as a possible defense and discusses that as an
20 element that's been a factor that we've been discussing or that Mr. Beane, I should
21 say, has been discussing throughout this trial. **I believe that the good-faith**
22 **defense of fraud is something that needs to stay in to the jury instructions.**

23 **DEFINITIONS**

24 **Uniform Commercial Code (UCC) § 1-304. Obligation of Good Faith.**

25 Every contract or duty within the Uniform Commercial Code imposes an
26 obligation of good faith in its performance and enforcement.

27 **GOOD FAITH** – An honest intention to abstain from taking any
28 unconscientious advantage of another...” (Black’s Law Dictionary, 4th Edition, P.
29 822)

30 **MENS REA.** A guilty mind; a guilty or wrongful purpose; a criminal intent.
31 Guilty knowledge and willfulness. United States v. Greenbaum, C.C.A.N.J., 138
32 F.2d 437, 438. (Black’s Law Dictionary, 4th Edition, P. 1137)

1 §1343, §1344, §1956, and §1957 all have to do with criminal intent or
2 mens rea, and yet the judge and Mr. Beane's elbow counsel are discussing "good
3 faith." The good faith jury instruction seems to have been planned and
4 coordinated. It was calculated. It was important to perpetrators and coconspirators
5 Thomas A. Varlan and Stephen G. McGrath (Randall-Keith:Beane's elbow
6 counsel) to put "good faith" in the jury instructions. Why? Was perpetrator
7 Thomas A. Varlan actually operating under admiralty/commercial/contract law?
8 The uniform commercial code (UCC) has been the law of the land for courts for a
9 long time. They rarely if ever operate constitutional Article III courts even though
10 they know that is what they are supposed to be doing. It's bait and switch. It's
11 judicial fraud. Judges make you think you're in a constitutional court when you're
12 not. Judges and prosecutors throw around the word constitution a few times and
13 will even refer to and cite sections of the constitution in their reports, motions and
14 "orders" to make folks believe that's what's going on but behind the scene the trap
15 is set for the judge and prosecutor to deceive.

16 Here are some examples where the constitution was mentioned. Trial
17 excerpt:

18 Thomas A. Varlan speaking to Randall-Keith:Beane and Heather-
19 Ann:Tucci:Jarraf, Trial Transcript, Volume II, P. 196, Line 14-17
20

21 ...and I'm talking to you individually -- but your, Ms. Tucci:Jarraf, and your, Mr.
22 Beane, constitutional rights to testify or not testify in a criminal trial as you see
23 fit.
24

25 Heather-Ann:Tucci:Jarraf Cross-examination of Parker Still, Trial
26 Transcript, Volume I, P. 44, Line 1-2; 4-5
27

28 Q So you do whatever you need to protect a victim as well as the assets, if
29 possible?
30

31 A Within the boundary of the United States Constitution."

32
33 Heather-Ann:Tucci:Jarraf Cross-examination of Parker Still, Trial
34 Transcript, Volume I, P. 44-45, Line 24-25, 1-4
35

1 A—No, ma'am. I can't do any actions. **I am bound by**, you know, rules and
2 regulations. And you did – you said a lot of them that we are **bound by, the**
3 **United States Constitution**, the FBI internal rules, Department of Justice, big
4 umbrella, you know, that we fall under. **State of Tennessee**, you know, I mean,
5 there's a lot of rules and regulations out there.”
6

7 If the perpetrators and conspirators followed the “big umbrella” of rules and
8 laws they are bound by Mr. Beane and Mrs. Tucci:Jarraf would not be in prison
9 today. The Constitution is the Law of the Land and the Law of the Land is due
10 process. The perpetrators and conspirators completely skipped due process
11 because this was a targeted prosecution that had absolutely nothing to do with the
12 rule of law.
13

14 14) They misled the jury about the license requirement regarding being a
15 lawyer. Perpetrators and coconspirators Parker Still and Cynthia Davidson
16 made a real stink about Heather-Ann:Tucci:Jarraf not having an attorney
17 license when they don't have a license either. They have a membership card
18 – a BAR card. They are members of a BAR association with foreign ties.
19 These perpetrators said anything they could think of to mislead the grand
20 jury and trial jury to make Heather-Anne:Tucci:Jarraf appear as if she had a
21 history of breaking the law.
22

23 15) Perpetrator and conspirator Cynthia F. Davidson, during her cross-
24 examination of Heather-Ann:Tucci:Jarraf, asked the following:

25 **Cynthia F. Davidson Cross-examination of Heather Ann Tucci:Jarraf, Trial**
26 **Transcript Volume VI, P. 63-64, Line 22-23; 4-13** (Att. #80.2 and #80.3)

27 Q And you've seen this Black's Law Dictionary?
28

29 A I'm familiar with Black's Law.

30 Q Okay. And so you know that there is absolutely no difference between the
31 definition of attorney and lawyer, don't you?
32

33 A Actually, in Bouvier's Dictionary, which is the law book or the law
34 dictionary that at least the judges I worked with at the federal and state levels,
35 that's the one they use. It was Bouvier's. Black's Law, that's what we used in law
36 school.

1 Q Okay. And so you know there's no difference between attorney and lawyer?

2
3 Perpetrator and conspirator Cynthia F. Davidson was again leading the jury
4 to believe Mrs. Tucci:Jarraf had done something wrong by being a lawyer for the
5 Randall Keith Beane Factualized Trust. She wanted the jury to believe a lawyer/
6 attorney must have a BAR card membership (which she called a license to further
7 confuse the jury) when only an attorney-at-law/officer of the court must have a
8 BAR card membership. A BAR card membership is for attorneys-at-law/officers
9 of the court – NOT lawyers/attorneys.

10
11 We know perpetrator and conspirator Cynthia F. Davidson knows the
12 difference between an “attorney/lawyer” and an “attorney-at-law/officer of the
13 court” because she whipped out her handy-dandy Black’s Law Dictionary. (Att.
14 #80.2) Presumably, she read it - ‘when used with reference to the proceedings
15 of courts, or the transaction of business in the courts, the term “attorney”
16 always means “attorney at law.” (Att. #9.5)

17
18 Perpetrator and coconspirator Cynthia F. Davidson’s question regarding no
19 difference between an attorney and a lawyer was intentionally deceitful. She
20 knows attorney/lawyer is used interchangeably but attorney-at-law/officer of the
21 court has a different meaning. Mrs. Tucci:Jarraf did not say she was an officer of
22 the court. The BAR card is required to be admitted by a court to practice law in a
23 courtroom. It is not required to draft legal documents as Mrs. Tucci:Jarraf did with
24 the Randall Keith Beane Factualized Trust. (Definitions - Att. #9.5, #9.6, #81.2,
25 #81.3, #82.1, #82.2)

26
27 16) Perpetrator and conspirator Cynthia Davidson misled the trial jury
28 into believing if a word is not in her dictionary it doesn’t exist:

29 **Cynthia F. Davidson Cross-Examination of Heather Ann Tucci:Jarraf, Trial**
30 **Transcript, Volume 6, page 86, line 4-9**

31 Q Okay. So what's preterea and praeterea?

32
33 A Praeterea preterea.

34
35 Q Yes. What's that?

36
37 A That means in hereafter. It's Latin.

1 Q Okay. But it's nowhere in Black's Law Dictionary, is it?

2
3 Perpetrator and conspirator Cynthia Davidson didn't want to know "what's
4 preterea and praeterea?" If she wanted the answer to that question she would have
5 researched it beforehand. What perpetrator and conspirator Cynthia Davidson
6 wanted was for the jury to believe Mrs. Tucci:Jarraf was dishonest and making
7 things up. According to perpetrator Cynthia Davidson's argument to the jury
8 praeterea preterea does not exist because it's not in Black's Law Dictionary.
9 Cynthia Davidson knows she will find praeterea preterea in a Latin dictionary (Att.
10 #85), but that wasn't her goal. Her goal was to willfully and intentionally deceive
11 the jury. The purpose behind making Mrs. Tucci:Jarraf appear to be making things
12 up was a set-up for perpetrator and conspirator Cynthia Davidson's
13 "gobbledygook" comment to delegitimize Mrs. Tucci:Jarraf's UCC filings.

14 17) Perpetrator and conspirator Cynthia Davidson misled the trial jury
15 about Mrs. Tucci:Jarraf's Uniform Commercial Code filings.

16 Cynthia F. Davidson Cross-Examination of Heather Ann Tucci:Jarraf, Trial
17 transcript, Volume 6, page 86, line 22-23

18 **"And so these documents are basically just a bunch of gobbledygook."**

19 This comment was designed to disparage the UCC documents. The fact is
20 perpetrator and conspirator Cynthia F. Davidson had an obligation to understand
21 that "gobbledygook" or hire an expert who did understand it. She's certainly not
22 getting paid to prance around showing off her extensive vocabulary. So why did
23 she make the condescending comment before the jury and gallery? She made that
24 comment because she knew the UCC filings are legitimate and she had to discredit
25 them in order to move forward with the conspiracy.

26 Perpetrator and conspirator Cynthia F. Davidson knew how to hire an expert
27 if she wanted to. Court document 79 excerpt:

28 "Zachary Scrima of the Federal Bureau of Investigation (FBI) will testify as
29 an expert at trial. Forensic Accountant Scrima is a Certified Public Accountant
30 and has been employed with the FBI since 2010. Forensic Accountant Scrima's
31 resume is attached to this notice." (United States of America's Notice of Expert
32 Witness Testimony, Document 79, Filed 01/05/18)

1 If perpetrator and conspirator Cynthia F. Davidson could present an
2 accountant “expert” to lie about Mr. Beane altering his social security account
3 number – she could have presented a UCC expert to support her statement that the
4 UCC filings are “gobbledygook.” But she wasn’t after the truth now was she? She
5 already knew the truth. She was plotting and scheming to fulfill the conspiracy.

6 18) The perpetrators and coconspirators misled the grand jury and trial
7 jury into believing Randall-Keith:Beane had stolen a RV. They presented
8 absolutely no evidence to support that allegation. In fact, they presented
9 evidence to the contrary:

10 **Heather-Ann:Tucci:Jarraf Cross-Examination of FBI Special Agent Parker**
11 **Still – Trial Transcript, Volume I, Pg. 62, Line 22** (Att. #30.3)

12 “...-- the keys are going to be turned over to him...”

13 The motorhome certainly was not stolen given the keys were handed to
14 Randall-Keith:Beane on Friday July 7, 2017 and the FBI thugs waited until
15 Tuesday, July 11, 2017 to ambush Randall-Keith:Beane at Buddy Gregg RVs &
16 Motor Homes when Mr. Beane went in to pick up the motorhome.

17
18 B) **Fraud Upon Court**

19 The judge, prosecutors, investigators, and some witnesses conspired to lie to
20 those in the jury box and the people sitting in the gallery watching the trial. The
21 prosecutors and witnesses deliberately engaged in a deception which went to the
22 heart of their claim that Randall-Keith:Beane altered his social security account
23 number by one digit. Perpetrator and coconspirator Cynthia F. Davidson continued
24 the deception in her direct examination of USAA Bank fraud investigator Monica
25 Alcala appearing to coax Ms. Alcala into lying under oath and omitting material
26 information. Trial excerpt:

1 Cynthia F. Davidson Direct Examination of Monica Alcala (USAA Bank
2 Fraud Investigator) Trial Transcript, Volume I, Jan. 23, 2018, Pg. 129, Line 9-
3 15

4 A The account number was Randall Beane's Social Security number.

5 Q So his actual – his actual Social Security number?

6 A Yes.

7 Q So Federal Reserve routing number and then his actual Social
8 Security number on July 3rd?

9 A Correct."

10 Cynthia F. Davidson Direct Examination of Monica Alcala (USAA Bank
11 Fraud Investigator) Trial Transcript, Volume II, Jan. 24, 2018, P 8, Line 1-3

12 Q And what number did he add to the external system?

13 A The routing number was a Federal Reserve routing number and the
14 account number was his Social Security number."

15 It looks like Ms. Alcala may have gotten a talkin' to because she changed
16 her testimony from the truth to the lie. See below.

17 Cynthia F. Davidson Direct Examination of Monica Alcala (USAA Bank
18 Fraud Investigator) Trial Transcript, Volume II, Jan. 24, 2018, P. 23, line 8-18

19 Q Okay. And the account number in this case, and I didn't put it in
20 front of you, so you weren't a hundred percent sure, but is it 244391135?

21 A Yes.

22 Q And that's Randall Beane's Social Security number, only his Social
23 Security is 243?

24 A Yes.

25 Q Right?

1 A Correct.

2 Q 243 instead of 244?

3 A Correct.”

4 **Cynthia F. Davidson Direct Examination of Monica Alcala (USAA Bank**
5 **Fraud Investigator) Trial Transcript, Volume II, Jan. 24, 2018, P. 25, Line 14-**
6 **16**

7 Q And what is the funding number -- I mean, I'm sorry, the funding account
8 number?

9

10 A It's 244XXXXXX.

11 What a coincidence! It's a miracle! The funding account number is just one
12 digit different than Mr. Beane's social security account number. And what's
13 amazing is the perpetrators say Mr. Beane was able to figure out to move the third
14 digit of his social security account number up one digit to access the funding
15 account number. Really?

16 Zach Scrima, the FBI forensic account had a slightly different tale to tell.
17 Perpetrator and coconspirator Zach Scrima understands numbers and accounts.
18 There's little doubt if someone made the below statements to him he would laugh
19 them out of his office.

20 Perpetrator and coconspirator Zach Scrima testified for Mr. Beane to transfer
21 digits from his treasury direct depository account to his USAA Bank personal
22 account Randall-Keith:Beane used his social security account number with “one
23 digit off” (244). But to pay bills out of that same treasury direct depository
24 account, Zach Scrima says Randall-Keith:Beane used his real social security
25 account number (243).

26 Trial excerpts:

27 **Cynthia F. Davidson Direct Examination of Zach Scrima, Trial Transcript**
28 **VOLUME IV, P.135; Line 6-12**

29

30 Q Okay. And then he used an account number that – do you have his
31 account number on here?

1 A Yes. If you look in the -- sort of above his name and the dotted line.
2 So that's showing that it -- when purchasing these CDs, he gave USAA the
3 routing number of the Federal Reserve and an account number 244XXXXXX,
4 which, of course, is just one digit off his Social Security number.

5
6 Cynthia F. Davidson Direct Examination of Zach Scrima, Trial Transcript
7 VOLUME IV, P.137; Line 13-16

8
9 A Again, he uses the Federal Reserve routing number and the account
10 number that is one digit off his Social Security number, which causes USAA to
11 request an ACH from the Federal Reserve.

12
13 Cynthia F. Davidson Direct Examination of Zach Scrima, Trial Transcript
14 VOLUME IV, P. 144; Line 21-25

15
16 Q And this is the calendar from July 2017. And so the -- paying his
17 accounts -- paying his bills with his real Social Security number and the
18 federal routing number occurred on the 3rd?

19
20 A That's my understanding, yes.

21
22 Perpetrator and coconspirator Sean O'Malley of the New York Federal
23 Reserve Bank sashayed in the trial with a whole new story. He dispensed with the
24 social security number altered by one digit nonsense. He sang a new tune. He
25 testified if someone has just the "routing number" they can access funds at the
26 Federal Reserve Bank because the funds are kept in the "routing numbers." He
27 says you can use whatever account number and name you want. It's the routing
28 number that matters. It's such an outrageous lie it's hard to believe he was allowed
29 to tell it. Trial excerpt:

30
31 Cynthia F. Davidson Direct Examination of Sean O'Malley, Trial Transcript
32 Volume III, P.188, Line 6-7

33
34 A ...they would be able to pull funds out of the routing number...

35
36 Heather-Ann:Tucci:Jarraf Cross Examination of NY Federal Reserve Bank
37 Sean O'Malley, Trial Transcript Volume IV, P.63-64, Line 17-25; 1-3

38
39 Q Maybe I can make it clearer, because there might be a structural issue
40 there. If someone had just the routing number, a valid routing number, even